[14]

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

COPIES OF DOCUMENTS REFERRED TO

IN

HIS COMMUNICATION OF THE SEVENTEENTH ULTIMO,

IN

RELATION TO THE SEMINOLE WAR, &c.

DECEMBER 3, 1818.

Read and ordered to lie upon the table.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1818.

To the House of Representatives of the United States:

I transmit to the House of Representative, copies of such of the documents referred to, in the message of the 17th instant, as have been prepared since that period. They present a full view of the operations of our troops, employed in the Seminole war, who entered Florida.

The residue of the documents, which are very voluminous will be transmitted as soon as they can be prepared.

JAMES MONROE.

December 2d, 1818.

Memorandum of letters to and from the Secretary of War, sent to the President, in relation to the Seminole War, and the capture of Pensacola.

General Edmund P. Gaines	to	Secretary of War,	Dec. 2, 1817.
same	to	same	Dec. 15, 1817.
same	to	same	Jan. 9, 1818.
same	to	same	Jan. 23, 1818.
same	to	same	Jan. 30, 1818.
Secretary of War	to	general Gaines	October 30, 1817.
same	to	same	December 26, 1817.
same	to	same	December 26, 1817.
same	to	same	December 16, 1817.
same	to	same	December 9, 1817.
same	to	same	December 2, 1817.
same	to	same	January 16, 1818.
same	to	same	August 14, 1818.
same	to	same	August 19, 1818.
same	to	general Jackson	January 29, 1818.
same	to	same	February 6, 1818.
same	to	same	August 14, 1818.
same	to	governor Bibb	May 14, 1818.
General Jackson	to	the Secretary of War	January 20, 1818.
same	to	same	February 10, 1818.
same	to	same	February 14, 1818.
same	to	same	February 26, 1818.
same	to	same	March 25, 1818.
same	to	same	March 8 & 9, 1818.
same	to	same	April 20, 1818.
same	to	same	April 26, 1818.
same	to	same	May 5, 1818.
same	to	same	June 2, 1818.
same	to	same	June 2, 1818.
Governor W. Bibb	to	same	March 27, 1818.

Proceedings of a special court martial, major general Gaines, president, for the trial of Arbuthnot and Ambristie.

Edmund P. Gaines to the Honorable Secretary of War.

Head Quarters, Fort Scott, Ga. December 2, 1817.

SIR,

I had the honor to receive on the 26th ult. your communication of the 30th October.

I am very happy to find that the President approves of my movements. But I much regret that his just expectations, as to the effect there was reason to believe would be produced on the minds of the Indians, by this movement, have not been realised. I am now quite convinced that the hostility of these Indians is and has long since been of so deep a character as to leave no ground to calculate upon tranquillity, or the future security of our frontier settlements, until the towns south and east of this place shall receive a signal proof of our ability and willingness to retaliate for every outrage. It is now my painful duty to report an affair of a more serious and decisive nature than has heretofore occurred, and which leaves no doubt of the necessity of an immediate application of force and active measures on our part. A large party of Seminole Indians on the 30th ult. formed an ambuscade upon the Appalachicola river a mile below the junction of the Flint and Chatahouche, attacked one of our boats ascending near the shore, and killed, wounded, and took the greater part of the detachment, consisting of forty men, commanded by lieut. R. W. Scott, of the 7th infantry. There were also on board, killed or taken, seven women, the wives of soldiers; six men of the detachment only escaped, four of whom were wounded. They report that the strength of the current at the point of attack, had obliged the lieut. to keep his boat near the shore; that the Indians had formed along the bank of the river, and were not discovered until their fire commenced, in the first volley of which lieut. Scott and his most valuable men fell. The lieut. and his party had been sent from this place some days before, to assist major Muhlenberg in ascending the river with three vessels laden with military stores brought from Montgomery and Mobile. The major, instead of retaining the party to assist him as I had advised, (see the enclosure No. 1) retained only about twenty men, and in their place put a like number of sick, with the women and some regimental cloathing. The boat thus laden was detached alone for this place. It is due to major Muhlenberg to observe, that at the time he detached the boat, I have reason to believe he was not apprised of any recent hostilities having taken place in this quarter. It appears however from lieut.

Scott's letter, received about the hour in which he was attacked, (inclosure No. 2) that he had been warned of the danger. Upon the receipt of this letter, I had two boats fitted up with covers and portholes for defence, and detached capt. Clinch, with an officer and forty men, with an order to secure the movement of lieutenant Scott, and then to assist maj. Muhlenberg. (see enclosure No. 3) This detachment embarked late in the evening of the 30th, and must have passed the scene of action below at night, and some hours after the affair terminated. I have not yet heard from capt. Clinch. I shall immediately strengthen the detachment under maj. Muhlenberg, with another boat secured against the enemy's fire. He will therefore move up with safety, keeping near the middle of the river. I shall moreover take a position with my principal force at the junction of the rivers, near the line, and shall attack any force that may attempt to intercept our vessels and supplies below; as I feel persuaded the order of the President prohibiting an attack upon the Indians below the line, has reference only to the past, and not to the present or future outrages, such as the one just now perpetrated, and such as shall place our troops strictly within the pale of natural law, where self defence is sanctioned by the privilege of self preservation. The wounded men who made their escape, concur in the opinion that they had seen five hundred hostile warriors at different places below the point of attack. Of the force engaged they differ in opinion, but all agree that the number was very considerable, extending about one hundred and fifty yards along the shore, in the edge of a swamp or thick woods. I am assured by the friendly chiefs, that the hostile warriors of every town upon the Chatahouche, prepared canoes and pushed off down the river to join the Seminoles, as soon as the account of my movement from the Alabama reached them. The Indians now remaining upon the Chatahouche, I have reason to believe, are well disposed. One of the new settlers however, has recently been killed; but it has been clearly proved that the murderer had belonged to the hostile party. The friendly chiefs in the neighborhood, when apprised of the murder, assembled a party and sent in pursuit of the offender and followed him to Flint river, on the route to Mickasukee, whither he escaped. Ouishajo, and several other friendly chiefs, have offered me their services with their warriors to go against the Seminoles. I have promised to give them notice of the time that may be fixed for my departure, and then to accept their services. The enclosure No. 4, contains the substance of what I have said to the chiefs who have visited me, several of whom reside south of the Spanish line and west of the Appalachicola river. It was expected by the chiefs, that I should communicate to them my views and wishes. I felt authorzed to say but little, and I deemed it necessary in what I should say, to endeavor to counteract the erroneous impressions by which they have been misled by pretended British agents. I hope the President will see, in what I have said, nothing to disapprove. I feel persuaded a report of the various talks which I received from

the chiefs, would show the propriety of what I have said to them; such a report I have not a moment's time now to make. The Indians are at this moment firing at our camp from the opposite side of the river.

I have the honor to be,
Most respectfully,
Your obedient servant,
EDMUND P. GAINES,
Major General by brevet, commanding.

To the Honorable Secretary of War,
Washington city.

Talk to Indian Chiefs and Warriors.

Chiefs and Warriors,

The President of the United States has been informed of the murders and thefts committed by the hostile Indians in this part of the country. He has authorized general Jackson to arrest the offenders, and cause justice to be done. The Indians have been required to deliver up the murderers of our citizens and the stolen property; but they refused to deliver either. They have had a council at Mickasukee, in which they have determined upon war. They have been at war against helpless women and children. Let them now calculate upon fighting men. We have long known that we had enemies east of this river. We likewise know we have some friends. But they are so mixed together, we cannot always distinguish the one from the other. The President wishing to do justice to his red friends and children, has given orders for the bad to be separated from the good. Those who have taken up arms against him, and such as have listened to the bad talks of the people beyond the sea, must go to Mickasukee Swanney, where we wish to find them together. But all those who were our friends in the war, will sit still at their homes in peace. We will pay them for what corn and meat they have to sell to us. We will be their friends. and when they are hungry we will give them meat. The hostile party pretend to calculate upon help from the British. They may as well look for sol-

diers from the moon to help them. Their warriors were beaten and driven from our country by American troops. The English are not able to help themselves; how then should they help the old "Red Sticks," whom they have ruined by pretended friendship.

Spanish Bluff, 28th November, 1817.

SIR,

Enclosed you will receive major Mulhlenberg's communication, which he directs me to forward to you by express from this place.

Mr. Hamly informs me that Indians are assembling at the junction of the river, where they intend to make a stand against those vessels coming up the river; should this be the case I am not able to make a stand against them. My command does not exceed forty men, and one half sick and without arms. I leave this immediately.

I am respectfully,

Your obedient servent,

[Signed] R. W. SCOTT,

Lieut. of inft. comm'g. detachment.

Note—The bearer of this is entitled to three dollars on delivering this letter. The Indians have a report here the Indians have beaten the white people.

Fort Scott, November, 1817.

SIR,

The waters having risen sufficiently high to enable you to ascend the river with all the vessels, I wish you to do so, though it should take longer than I had anticipated. You can avail yourself of the aid of lieutenant Scott's detachment, to expedite your movement

hither. Keep yourself near to each other, and should you meet with any insuperable obstacle, endeavor to apprise me thereof, and you shall have additional relief. Wishing to see you soon with your fleet,

I remain with great regard,

Your obedient servent,

E. P. GAINES.

To major Muhlenberg,

Commanding U. S. troops,

Ascending the Appalachicola river.

From General E. P. Gaines to the Secretary of War.

Head Quarters, Ft. Hawkins, Georgia, December 15th, 1817.

SIR,

I arrived at this place the day before yesterday morning. In the afternoon of the same day I received the detachment of Georgia militia, under the command of brigadier general Glasscock. They look well, and are ready to march; but the inattention on the part of the contractor's agent, to the requisitions for a supply of rations, will, I apprehend, according to custom, delay the movement of the militia, until some part of the frontier settlements suffer by the Indians; who, I have no doubt will detach considerable parties for this purpose, as soon as they find themselves unable to succeed in any attempt against the regular troops at Fort Scott; and I think it cannot be long before they are convinced of this. But although I consider the regular troops secure in the positions they occupy, yet I am satisfied their numbers will not warrant their being detached, or leaving their places of defence, except to a very small extent.

I have just now received Mr. Graham's letter of the 2d instant. The views of the President, so far as may depend on me, shall be scrupulously observed. I should instantly discharge the Georgia militia, were I not strongly impressed with a belief, that such a step would hazard the safety of the frontier settlements.

The Seminole Indians, however strange and absurd in must appear to those who understand little of their real character and ex-

treme ignorance, entertain a notion that they cannot be beaten by our troops. They confidently assert that we never have beaten them, or any of their people, except when we have been assisted by "red people."

This will appear the less extraordinary when it is recollected, that they have little or no means of knowing the strength and resources of our country: they have not travelled through it: they read neither books or newspapers; nor have they opportunities of conversing with persons able to inform them. I feel warranted, from all I know of these savages, in saying, they do not believe we can beat them.

This error of theirs has led them, from time to time, for many years past, to massacre our frontier citizens, often the unoffending and helpless mother and babes.

I felt myself fully authorized to adopt the only measures, which long experience has proven to be adequate to put a stop to these outrages. I was pleased with the prospect of being instrumental in effecting an object of so much importance to our exposed frontier settlements, and which I felt, and still feel persuaded, would, in the end, benefit the Indians.

The steps I have taken are known to the Department of War.

You can more readily conceive than I describe the mortification and disappointment I have experienced in being compelled to suspend or abandon my measures, at a moment when the loss of lieut. Scott and his party had just given the enemy an occasion of triumph, and a certain prospect of increasing his strength, by enlisting against us all who had before wavered or hesitated. Permit me then to repeat my request, that I may be permitted to return.

There is little ground to apprehend, that we shall find it necessary to follow the Indians far beyond the national boundary. They are now to be found in very considerable parties on our side of the line. I have not a doubt of the necessity of sending to Flint river, by the way of Hartford, the detachment of militia under Gen. Glasscock. My endeavors to put the detachment in motion, will delay my own movement until the 17th instant, at which time I shall resume my march to Point Petre.

An opinion prevails among the well informed of this part of the country (who have by some means unknown to me been advised of our intention to take Amelia Island) that our troops there will meet with no opposition. Should this be the case, I shall return to Fort Scott without delay.

I have the honor, &c. &c.

[Signed] EDMUND P. GAINES,
Major general commanding.

The Honourable J. C. Calboun,
Secretary of War.

Extract of letter from general Gaines to the Secretary of War, dated

Head Quarters, Hartford, Ga. January 9, 1818.

SIR,

I had the honor to receive on my way to this place, the 5th instant, by express from fort Hawkins, your very acceptable letters of the 9th and 16th of last month.

The instructions they contain shall be regarded with the attention which their importance demands.

I received by the same express several reports up to the 21st December, from lieutenant colonel Arbuckle, and major Muhlenburg, copies of which I enclose herewith, No. 1, 2, 3 and 4.

By these peports, it appears that the principal force of the enemy (between 800 and 1,200) has been assembled on the Apalachicola, with a view to cut off our supplies ordered up that river, and that the detachment with the vessels, has suffered severe annoyance, and some loss.

I do not apprehend that we shall lose a vessel, or that any serious consequences to the troops at fort Scott, will result from the delay and difficulty of obtaining supplies by that channel; the supply of flour is more than sufficient for the present month, and there is likewise a considerable supply of corn at the fort, and beef cattle in the neighborhood. Of salted pork, there can be but little, until the arrival in the river of thirty thousand rations, and with every other requisite supply, ordered in the early part of last month from Mobile, and which may be brought up the river in the covered ball proof boats, which have been prepared for the purpose. But to guard against every untoward obstacle in that quarter, I have ordered supplies from this place and fort Hawkins; part of which are now on the way, and will be deposited at a work now constructing by the detachment under general Glasscock, on Flint river, at the Chehaw village, sixty miles above fort Scott, whence the supples will be taken in ball proof boats, and I have strong ground to believe they will be at fort Scott by the 24th of the present month, at which time I calculated upon being able to concentrate my force, and shall loose no time in attempting a decisive blow, which I trust will terminate the war.

I have received information, that a party of Indians entered the settlement near Trader's hill a few days past, killed a woman, and took off some three or four negroes. I had previously ordered a detachment of artillery from Amelia Island, with two companies of the militia taken from general Floyd's division, to take post at Trader's hill, for the defence of that settlement. I have reason to believe the artillery arrived at the hill about the time the murder was committed, and the militia soon after; and that the Indians were pursued.

The residue of militia taken from general Floyd's division, (five companies) are ordered to this place to reinforce general Glasscock's

command, excepting one company, which will be posted near the Big Bend of Oakmulgee. The detachment under general Glasscock, delayed by rainy weather, bad roads, and want of puuctuality in the cantractor's department, may not be able to form a junction with the United States' troops in time to put an end to the war, before their term of service expires, which will be early in next month. I have therefore requested of his excellency, the governor of this state, an additional force to assemble at this place the 1st of next month, to consist of four battalions of infantry, and four companies of riflemen, for three months; which I hope will meet your approbation.

No. 1.

Colonel Arbuckle to General Gaines.

Fort Scott, 20th December, 1817.

SIR,

Since the day of your departure, I have not received the least information, except by Indians from fort Gaines; and I have no information whatever of the Georgia militia, or M'Intosh's Indians.

You will herewith receive a copy of brevet major Muhlenburg's letter to me, of the 16th instant, which will apprize you of his situation. The armed boat I sent down yesterday under the command of captain Blackston, with a supply of fifteen days provision, for the men on board the vessel, and some materials to better secure them from the fire of the enemy. I had the boat so altered as to make her convenient to carry forward an anchor, by which means the vessels will be enabled to progress slowly; and I thing will reach this in eight or ten days unassisted by the wind; they are about 30 miles below.

I shall do every thing the force under my command will permit, without hazarding too much, to draw the attention of the enemy from the vessels, whose force, from the best information I have been able to obtain, is between 800 and 1200 Indians and negroes, and increasing daily. On the 13th instant, Hambly and Doyle were made prisoners by this party, and I presume killed, and their property of every description taken possession of. The chief, Mr. Perryman, who had gone down with a party to protect Hambly and Doyle was killed, and his men forced to join the opposite party. All the Indians on the Chattahoochie, below fort Gaines, who are not disposed to go to war, I fear will be compelled to remove above for security.

The present war with these Indians will require a much greater

force than was contemplated, to bring it to a speedy and favorable conclusion. Capechinnico, or the principal chief of the Mickasukey town, is in command of all the hostile Indians.

I have a large keel boat on the stocks, and should I not be deceived, will have her in a condition for service in twenty days at furthest; she will transport from three to four hundred barrels, and will be constructed to navigate the Appalachicola river with safety and despatch.

In consequence of the situation of our vessels, and the difficulty of supplying fort Hughes, I have thought it best to recall the command; during the time captain M'Intosh commanded that post, he was surrounded by a large force, and his arrangements were such as to do him much credit; he did the enemy some injury, and had no men killed or wounded.

There is but about twenty days rations of meat on hand at this post. I have sent the contractor's agent to fort Gaines to forward beef, and if he should be disappointed there, have directed him to proceed further.

I am, Sir, &c. &c.

[Signed] M. ARBUCKLE,

Lt. Col. Commanding.

Major General Gaines.

No. 2.

Major Muhlenburg to colonel Arbuckle.

Near the Ochesee town, on the Apalachicola river,

Tuesday Evening, Dec. 16, 1817.

SIR,

On Monday morning the transports were attacked by the Indians, from both sides of the river, with a heavy fire of small arms. We returned their fire: the firing has continued ever since. We have lost two killed, and thirteen wounded, most of them severely; whether we have injured them any, I am unable to say. We are now compelled to remain here, as it is impossible for us to carry out a warp, as a man cannot show himself above the bulwark, without being fired on. I can assure you, that our present situation is not the

most pleasant, not knowing how soon, or whether we are to receive succour from above.

The wounded are in but a bad situation, owing to the vessel being much crowded, and it is impossible to make them any ways comfortable on board. Not having any other means to communicate to you, I am compelled to despatch the keel boat, under the command of captain Clinch, with instructions, to make the best of his way to fort Scott.

I hope to hear from you soon, with instructions, how I am to proceed in my present situation.

With respect, &c.

[Signed] P. MUHLENBURG,

Brevet Major.

P. S. We have but a few days provision on hand; the men have been on half allowance some time.

No. 3.

Colonel Arbuckle to general Gaines.

Fort Scott, December 21, 1817.

SIR,

Since closing my letter, the keel boat arrived from the vessels below, with some wounded.

Major Muhlenburg states, it is impossible for the vessels to get up, the shore being lined on both sides of the river, with Indians and negroes, who keep up a constant fire on them. He has determined, if the boat does not return to him this evening, to drop down, and try to get to the bay. The boat will leave this, under the command of major Twiggs, at 12 o'clock, to day, and will reach them by sun down, provided, it is not interrupted in its descent.

I shall endeavor to keep up an intercourse with them, (by means of the keel boat) until we can get the ammunition from on board; and in the last extremity, they will be compelled to drop down to the bay, in doing which, I am apprehensive they will suffer severely.

You have herewith, a copy of brevet major Muhlenburg's letter of the 19th inst. He appears dissatisfied that more has not been done for his relief; in this, nothing shall be omitted that the force here can effect.

Should I attempt to march against the enemy, with all the force here, with the intention of removing him from the river, I am confident I should not succeed, and at best, would sustain a very considerable loss.

Men, and means of every description, are greatly wanting here, and, should any misfortune happen to the vessels, we have not half a supply of ammunition, and not a single stand of spare arms.

I have not heard a word from you, since your departure.

I am, Sir, &c. &c.

[Signed] M. ARBUCKLE,

Lt. Col. commanding.

Maj. gen. E. P. Gaines.

New Ochesee Town, December 19, 1817.

SIR,

Yours by captain Blackston, was received at 12 o'clock, this morning, and was in hopes, that you would have been able to afford some relief to the command, as our situation demanded that something should have been done immediately. That we are not able to progress, is evident, as we have the enemy on both sides of the river, and therefore, impracticable to carry out a warp. Had we not heard from you by the keel boat, this morning, it was decided, that we should have attempted to return to the bay, this evening. I shall now despatch the keel boat, under the command of lieut. Gray, and try to retain our present position, until the night of the 21st.

In case we should not hear from you, or be reinforced by land, we shall make the attempt to reach the bay. For further particulars, I refer you to lieut. Gray.

With respect, &c.

[Signed] P. MUHLENBURG,

Major.

Lt. Col. Arbuckle.

(Copy.)

General E. P. Gaines to the Secretary of War.

Head Quarters, Hartford, Georgia, 23d January, 1818.

SIR,

I have this day received from lieut. col. Arbuckle, reports of the state of his command up to the 18th of the present month, and from brig. gen. Glascock up to yesterday's date, copies of which I have the honor to enclose herewith, No. 1, to 6.

By these communications you will perceive that whatever has been, or can be, said of the desire of the Seminole Indians to lay down their arms and make peace, there is in reality, no prospect of peace, without beating them into a conviction of the danger and evil effects of a war with us; and I feel persuaded, that a peace made with them at this time, would be followed by scenes of more daring outrage than those which our frontier settlements have heretofore suffered.

I have learned from an officer lately at Fort Hawkins, that there is in the post office at that place, a letter from the Department of War to major general Jackson. The hope of seeing him, and ascertaining his views upon the subject of our operations in this quarter, and to provide for supplying the additional detachment of militia, ordered to this place, I have delayed my movement to Fort Scott, until I see or hear from the general, or from the War Department.

I have, Sir, &c.

[Signed] EDMUND P. GAINES.

Honorable J. C. Calhoun, Secretary of War.

(Copy.)

Fort Scott, 27th December, 1817.

SIR,

Enclosed you will receive a copy of a letter I received yesterday from captain Irvine. Can the information given by the Indian express be true? The armed boat returned from the vessels in the Ap-

palachicola river yesterday, and although they have not progressed much, I was greatly gratified to be informed that no men had been killed or wounded on board of them, except those I informed you of in my communications of the 20th and 21st instant.

I consider the situation of those vessels much more safe than when I wrote to you last, and have little doubt I shall have them here in ten days from this time, or if not, I can unload them with safety below, and have them returned to the bay.

I have had no information respecting the Georgia militia, or M'Intosh and his Indians, except what is contained in the enclosed.

Ihave heard of provisions being on the way from Fort Hawkins, or have I received a line from you since your departure from this post.

I am, Sir, &c.

(Signed,) M. ARBUCKLE,
Lt. Col. Commanding.

Major General E. P. Gaines, St. Mary's, Georgia.

Extract of a letter from capt. Robert Irvin, to col. Arbuckle, dated Fort Gaines, 23d December, 1817.

SIR,

You are anxious to know of the movements of the militia and Indians. I will give you what I have heard on that subject; it was brought from fort Mitchell by an Indian on express; he received it from Sam Sells, direct from fort Hawkins. He states that the militia were to leave the agency on last Thursday; no word of them yet. He stated that there was considerable confusion amongst them about marching, and that some had refused to march; and that the agent had told the Indians that general Gaines had no business to go to the Indian towns, and fire on them in the night; that he had acted like the Indians themselves in doing so. M'Intosh had come as far as fort Mitchell on his way, and the agent had sent him home, and told him to meet him at the agency for a talk in 30 days, 18 of which yet remains; and that he should not move until the general government shall give the order. This I expect is the case; for they have sent Otis Haijo a talk; that he was doing wrong to be in service in this

country, till the agent should give him orders. He further states that the agent had sent a talk to Seminola, to the chiefs to meet him, and he would make peace for them, and the white people should have no satisfaction for what was done; this is the news here, as it respects the Indians. I am induced to believe they are not coming. Nothing new here since you heard from this post. After all that I have said to the citizens, they are going from the fort to their houses. General Gaines directed me to send you the census of the people at this post; a few days since there were 285 persons in the fort, 60 of which have left it. The general directed me to have a large corn house built for the reception of the peoples corn; I have done so, but they have no disposition to do so. I am constantly advising the people to secure their provisions; but they will not take advise, till it will be too late. So soon as they are down with the schooner, I shall expect a visit in this neighborhood; six will be sufficient to destroy all the corn in this part of the country, as it all remains at the peoples houses, without any protection.

Our Indian report here says, that Mr. Arbuthnot's son is with the Indians, giving them instructions, and that it was his doings that Doyle and Hambly were taken; they state that he is with Kenhija, and that his orders was to take them to him. The chiefs below here, sent word to those above, that they have heard that they were in the white peoples service, and that they will pay them a visit after a little, and reward them for their conduct. Finding that those above are not coming down soon, they are constantly alarmed for fear they will fall on them.

Camp Cumming, 10th January, 1818.

Major general E. P. Gaines,

SIR,

Yours of the 8th is just received, and I am extremely gratified of hearing of your arrival at Hartford, as I already feel considerably relieved. The many difficulties which have occurred since you left us, from contractors, and together with the want of experience, I can assure you has caused me to feel the responsibility attached to my command; but with your instructions, I flatter myself I shall now be able to get on.

We are now encamped about four miles from fort Blackshear, on a very beautiful and commanding spot, with a considerable creek on

each side, about four miles distance; neither of which can be crossed with wagons. A bridge was erected over the one in our rear, but it is entirely gone; so soon as the one in our front falls sufficiently, it will be bridged. I have thought it advisable to have the roads repaired, which will be done immediately. Upolicha, a confidential Indian, has just arrived with a talk from Conard, the purport of which is as follows: he states that since the principal chief left home for the agency, the whole of the property of one of them was taken off by some of the Fowl Town Indians, and that Conard is considerably alarmed for his own property. He has advised to be on our guard, particularly so far as it relates to the soldiers strolling from the camp, which, for fear of danger, will be attended to. We have not now on hand ten bushels of corn, and Baockman is of opinion that it will be dangerous again to go to the Chehaw; in consequence of which, I have with his particular request, sent him with this express. I must refer you to him for further information, as to the corn and provisions to be procured in the nation.

I am almost fearful when I reflect for a moment, that the time of service for which this detachment has been called on, will expire before your object can be accomplished; as the officers, with a few exceptions, are governed by the men, and not the men by the officers; I am in hopes however, that should your object be not accomplished by the first of next month, I shall be able to render you an essential service by volunteers from my command, should it be deemed necessary; I will however have a personal interview with you on the subject, on your arrival at our camp.

Not having calculated on moving from this place for six or seven days for want of provisions, &c. I gave a furlough to captain Melvin; should you deem it necessary for us to move before that time, I would be glad that he would return.

I am yours with respect and esteem,

[Signed] THOMAS GLASCOCK.

Brig. gen. com. D. G. M. U. S. S.

Ceder Creek, 5 *o'clock*, 22*d Jan.* 1818.

SIR,

I was ordered this morning by general Glascock, to take five men, and proceed immediately to meet captain Leigh, who was packed from Hartford with provisions. I proceeded immediately, and met

him about two miles on the east side of the creek; and captain Leigh, five men, and myself, proceeded on to Blacksheard's works in considerable haste; when we reached the creek, we made a halt to fix on a pack which was likely to fall before we crossed; during this stay, captain Leigh and a private of captain Avery's company, by the name of Samuel Softis, started to cross; I called to the captain, and observed that he was probably going into danger; he replied, not as my party and self had crossed not more than half an hour before. I proceeded and accompanied by this man Loftis; they had not gotten entirely across the creek, when they were fired on by a party of Indians, the number I suppose to be about twenty or thirty from the report of their guns, and both shot dead on the spot. I immediately rode back and ordered the provisions, together with cornet Isaac Brown's command, consisting of twenty men, to a corner of general Blacksheard's old work, on the east side of the creek, when we took shelter, in a small breast work, determined to secure the provisions if possible. This was the only alternative, as they were planted in the swamp which was at least one hundred yards across, and I not having more than 27 men under my command with guns. When we completed our work, captain Sunther and Mr. Bridges proceeded down the creek, in order to make their way across to the army, that general Glascock might be informed of the murder, and be reinforced. That reinforcement has just reached our works, commanded by major Joseph Morgan; I, with captain Dannielly's company will proceed with the provisions to the army, and major Morgan will pursue the trail.

I hope, sir, as this was written by a torch, that you will excuse and correct any mistake.

I am, Sir,

Your obedient servant,

[Signed] FRANKLIN E. HEARD.

Brig. Major.

(Copy.)

Head Quarters, Hartford, Geo. Jan. 26, 1818.

SIR,

In obedience to your order to me of the 2d inst. I proceeded to Savannah, when to my great mortification, I found the draught little further advanced than when the order first issued from the Execu-

tive Department. In a conference with lieut. col. Marshall, I learnt that the draught has been made, but that a number of desertions had since taken place, which, with forty seven determined from duty, have reduced the quota one half, and that he knows of no steps that can be adopted, (without a flagrant violation of the civil law) to cause their attendance at the general rendezvous, if they refused to go, which they do almost unanimously. The draughts from the 35th regiment, have progressed further in their proportions for the service; though I was informed by lieutenant colonel Harrison, that it would be some days before they could leave their homes, as an inquiry into exemption, and a second draught would be necessary to fill their ranks.

On my leaving Savannah, colonel Marshall assured me that as soon as a second draught had been effected, and the necessary arrangements made for their movement, he would address to me a report to that effect at fort Hawkins, which has not been received; and I am left to conclude that the arrangements referred to have not been carried into effect. Captain Russell reported to me, that he was prepared to furnish the transportation necessary for their movement, if it should be required.

I have the honor, &c.

[Signed] **CLINTON WRIGHT,**

Maj. U. S. Army.

Maj. Gen. E. P. Gaines.

Fort Mitchell, 30th December, 1817.

MY FRIEND,

The messenger which was sent to the Mackasookeis, has returned with an answer to our talk. The Mackasookeis say it was not them that began the war; they were sitting down in peace, and the white people came on them in the night and fired on them. The Mackasookeis are all sitting down in their town, and doing no mischief, and waiting to see if the white people will make peace with them. The people that shot at the boat and killed all the white people, were the old Red Sticks, from the upper town, them that turned hostiles last war. The man that was sent to the Mickasookeis (Hopoia Haija) with a peace talk, met the Mackasookeis at the half way ground, coming with a peace talk to us.

Mr. Hambly and Mr. Doyle were taken prisoners, Hopoia Haijo saw them. Sustennagu Chepeo has gone to release them, and carry them to the fort at St. Marks.

I have sent you this little talk now; our meeting that you appointed will soon be, and then every thing will be made straight. The Chehaws have received two letters from the army, and they had no body to read them, and they dont know the contents, and wish the army could be stopped until our meeting is over.

[Signed] TUSTENNAGU HOPOIO,
HOPEI HAIJO.

Head Quarters, Hartford, Ga. January 30, 1818.

SIR,

I had the honor to receive yesterday your letters of the 26th December, and 16th of the present month, the first having followed me from Amelia Island.

I have for some months past endeavored to inform myself of the topography of the country, between the Appalachicola and St. Johns, but have received only the apparently imperfect accounts of some half blooded blacks and Indians, as to the western part of that tract of country. The eastern part is well known to many of the inhabitants of this state, with whom I have conversed. From Amelia Island to the Lochway, the country is for the most part what is here called pine barren nearly level, intersected with creeks and ponds bordered in many places with rich hammock land, which increases in quantity and quality as you approach the Lochway towns. From thence to St. Mark's and Appalachicola, the hammock land is found in very considerable bodies; much the largest portion of the country however is poor, sandy, pine barren. The hammock lands afford great quantities of live oak, some cedar, and other valuable timber. There are several large swamps on the route between the Lochway and St. Marks, which, during a season of rainy weather, are impracticable without the aid of boats; but the country being generally open, will admit of good roads when the weather is moderately dry.

I have not a doubt but the army may march with considerable facility from the Appalachicola to St. Johns, or Amelia Island, with the aid of a few vessels to send provisions, &c. from fort Scott down the river, and thence coast wise to the mouth of the Suwanny river,

130 miles east of the Appalachicola, and about 140 miles west S. W. from Amelia Island The last mentioned distance may be marched in eight days, without wagons or baggage, the troops carrying their own provisions in their haversacks. A movement from Amelia Island, by the way of St. Johns and Lochway, as you have suggested, would, I think, produce the desired effect, in co-operation with the troops from fort Scott. Upon this subject I shall confer with the commander in chief of the division.

By a letter from major Bankhead, dated the 17th of this month, I learn that two thousand Spanish troops are reported to have arrived at St. Augustine. Although little reliance can be placed in the report received by major Bankhead; yet, whether it be true or not I am satisfied his command (220 men) is quite too small to admit of any detachment, other than that at Trader's Hill. There should indeed, be not less than this number stationed at and in the immediate vicinity of the Hill; and a much greater number upon the frontier between that point and this. By a letter from W. Harris, esq. of Telfair, I am informed that a party of Indians killed a Mr. Daniel Dikes and his family, a few days past, on the St. Tilla, forty miles from the town of Jackson, Telfair court house. I immediately detached a troop of cavalry in pursuit of the Indians, and at the same time sent out a detachment of infantry, to reconnoiter the country and to secure the intermediate frontier from a similar outrage.

Accompanying this, I enclose a monthly return of the detachment of Georgia militia under brigadier general Glascock, which was received not until this day. I had confidently believed that the proper returns of this detachment had heen duly forwarded by major Nicks, who mustered and inspected the same, to the adjutant and inspector general's office.

With extreme regret I have to state, that the expected co-operation on the part of that detachment has entirely failed. An attempt to obtain volunteers to continue in service until the arrival of the detachment from major general Floyd's division, produced but forty men. The enclosed report of major Wright, assistant adjutant general, contains a discouraging picture of that detachment. It cannot be expected at this place before the 10th of next month, nor is it probable that more than 250 or 300, out of the 500, called for can be got into service.

The enclosed papers No. 1 to 4, contain copies of my last correspondence with contractor's agent.

The acting quarter master, lieutenant Keiser, has purchased the greater part of the provision issued during the present month, and is now engaged in the purchase of thirty thousand rations, the greater part of which is now on the way to fort Scott, by the way of Flint river. To pay for these supplies, I have been under the necessity of borrowing ten thousand dollars from the governor of Georgia, upon a promise to replace the amount in three months from the 23d inst. I had taken the liberty to send to Augusta a draft upon the Depart-

ment of War for fifteen thousand dollars, but could not obtain money on the draft without suffering a discount of 2½ per cent. which was totally inadmissible.

The fifteen thousand dollars forwarded by your order being required to pay the expense of transportation, for which this sum will be insufficient, I have to request that you will be pleased to order the sum of ten thousand dollars, on account of the supply of rations to be forwarded to his excellency governor Rabun, to replace that sum advanced by him.

I have the honor to be,
Most respectfully,
Your obedient servent,
EDMUND P. GAINES.

The honorable John C. Calhoun,
Secretary of War.

No. 1.

Head Quarters, Hartford (Ga.) Jan. 12, 1818.

SIR,

I have received your report in which you state that you have some rations "on the way," but you do not state where, or in what quantities they are to be found. Let me be informed upon this subject without delay.

Having been informed by Brigadier General Glascock that he has not been regularly supplied with rations by you; that he had advanced you $2000 to purchase pork for the detachment of Georgia militia under his command, (which I directed you to forward to this place, for that detachment,) I learn that you have not complied with my requisition or order; should this apparent neglect remain longer unexplained, your continuance as contractor's agent, or as sutler within the limits of my command, will be no longer tolerated.

Your most obedient servant,
[Signed] E. P. GAINES.
Major General Commanding.

Captain O. W. Callis,
Contractor's Agent, Fort Hawkins, Georgia.

No. 2.

Fort Scott, 12th Jan. 1818.

SIR,

On the 16th instant, I had the honor to inform you of the arrival of the vessels in charge of brevet major Muhlenburg, and to enclose to you the resignation of 1st lieutenant Sharp of the corps of artillery, the acceptance of which I recommended on account of his intemperate habits: since that period lieutenant Johnson of the same corps, has tendered his resignation, which is herewith enclosed. I would also recommend that his wish to leave the service should be gratified, as his conduct in a skirmish with the Indians some time since was not such as to evidence his being well qualified for the profession of arms. I have permitted him and lieutenant Sharp to be absent until the acceptance of their resignations may be published, unless otherwise ordered; and herewith enclosed is a copy of lieutenant Sharp's letter of resignation.

On the 4th instant I crossed the Flint river, about fourteen miles above this post, and proceeded to Fowl town which had been destroyed. I burnt it, and on the next day arrived at Allapulges, a small town about fourteen miles south east of this post; it had also been abandoned, and the cattle and stock of every kind, removed as had been the case at Fowl town. I am informed they have gone to or beyond the Oaklocny river, there to place their women and property in greater security, and better prepare themselves for war. They continue to have considerable intercourse with the Indians on the Chattahoochie, many of whom were with them, and assisted in the destruction of lieutenant Scott and his party, and in the attack on our vessels ascending the river, under the command of brevet major Muhlenburg. You have herewith a copy of a letter from Mr. Irvin, commanding at Fort Gaines. I cannot believe the information it contains; yet I have been informed a few days since that the Indians on the Chattahoochie, below Fort Gaines, have received information from the agent for the Creek nation, that they are to use their pleasure in joining us as we are the aggressors; but few of them require great inducement to act in the war, but most if, on our side, and should the war with the Lower Creeks terminate on the terms represented by Mr. Irwin, it will be risking but little to say the peace will be of short duration.

The force of this place is much too small to advance against the enemy, and I have not received the least information of the Georgia militia or M'Intosh's Indians, except what is contained in Mr. Irvin's letter, or a line from general Gaines since his departure.

I have but about two day's rations of meat, and something upwards of thirty day's rations of flour on hand, and without advice of additional supplies being on the way; and should captain Birch, who is now at Fort Gaines (with a command of one hundred, and twenty men) for the purpose of obtaining beef, not succeed, and the contractor's agents persist in neglecting their duty, much longer, the consequences must be greatly disasterous to the troops and the inhabitants of the Chattahoochie. I have sent captain Cummings to the bay for the purpose of obtaining information, should any vessel arrive there with provision, and will do all in my power to maintain my position; yet I do greatly fear my best exertions to do so will fail. I detached a sergeant and four mounted men on express to Fort Hawkins, on the 21st ultimo, and have not since heard of of them. I shall write to the Creek agent by the present opportunity, and enclose to him a copy of Mr. Irvin's letter.

I am, sir,

Very respectfully,

Your obedient servant,

[Signed] M. ARBUCKLE.

Lieut. Col. 7th Inft. Commd.

Major General Andrew Jackson,
Commanding Southern Division,
Nashville, Tennessee.

N. B. Since writing the above I have received a letter from general Gaines, dated on the 20th ultimo at Hartford. The contractor's agent in that quarter I am informed has failed, and the militia are now about ninety miles above this, badly supplied with provisions. Captain Birch has informed me that he will be able to obtain thirty or forty head of beef cattle at Fort Gaines. He will be compelled to take them as the people refuse to sell.

M. A.

No. 2.

Hartford, January 24, 1818.

Maj. gen. E. P. Gaines,

SIR,

Your communication of the 12th is received: to the several subjects therein referred, and to others I have the honor to reply as viz: The rations reported to have been on hand, were at fort Hawkins, Creek Agency, fort Mitchell, and fort Gaines; estimated at fort Hawkins, say, ten or fifteen thousand rations of pork and beef, and of flour, four or five thousand rations; at the Agency, nine thousand rations of flour, with a considerable quantity of the smaller parts; at fort Mitchell, ten thousand rations of flour, with a very small quantity of vinegar; and at fort Gaines, say, six or seven thousand rations of flour.

The two thousand dollars received of general Glascock, I did not understand was to be applied exclusively to the purchase of pork. My disbursements in the purchase of provision, have considerably exceeded that sum since the receipt of it, which was on the 10th of December last; of the fact I shall be able to convince the general, by a referance to my books and other vouchers, on that subject. It is true, that the balance of pork left at fort Hawkins, was not forwarded to this place, in compliance with your orders; this non compliance, proceeded from no disposition to evade or treat with indifferance, the order of the general, but for want of immediate means of transporting it. In short, allow me to assure you, sir, that if I have, or if I may disobey your orders, it is alone ascrible to the want of the means for compliance. With regard to the flour, refused at fort Hawkins, afterwards transported to, and sold at this place to the troops, by Mr. Lavake, I report, that it was never the property of the contractor, that it was inspected and refused as his; that it was transported and sold by him, without the knowledge or consent of the contractor or his agent.

I have the honor to be,

Most respectfully,

Your obedient servant,

[Signed] O. W. CALLIS.

C. Agent.

Major general E. P. Gaines, commanding, &c.

No. 3.

Fort Scott, January 13, 1818.

SIR,

I received your letter of the 20th ultimo, yesterday, after writing to major general Jackson: a copy of my letter to him is enclosed, which will exhibit to you the state of things in this quarter.

I have heard nothing more of colonel Brearly or the militia, except that they were within twenty-five miles of the Flint river on the 4th inst. Brockman wrote me on that date, and informed me that he was engaged, procuring provisions for the militia, the contractor having failed to supply. This, with the information you gave on that subject, has induced me to contract with Mr. M'Culloh, to deliver fifteen thousand rations of meat, at this post, in twenty days from this time, at 12½ cents per ration; should he fulfil his agreement, and capt. Birch succeed in procuring thirty or forty head of beef cattle, I think that supply will last the troops until provisions are received from New Orleans. Our horses have a distemper among them, which, I fear, will destroy a great number of them.

I am, Sir,
Very respectfully,
Your obedient serv't.

[Signed] M. ARBUCKLE,
Lieut. Col. Commanding.

Maj. gen. E. P. Gaines,
Comg. E. S. D. S. St. Mary's Geo.

No. 3.

Head Quarters, Hartford, Ga. January 19, 1818.

The army contractor is hereby required to provide for the daily issue of two thousand complete rations, to United States' troops and

militia, at the new fort, now building on Flint river, near the Chehaw village, and to have in store, at that fort, by the 20th day of next month, February, sixty thousand complete rations; the meat part of which, to consist of good pickled pork or bacon.

[Signed] E. P. GAINES,
Maj. Gen. commanding.

Benjamin G. Orr, Esq. Army contractor, or his agent, Fort Hawkins.

No. 4.

Fort Scott, 18th January, 1818.

SIR,

I have received information this evening, which I have no doubt may be relied on, that the whole, or the greater portion of the hostile Indians, are to have a meeting somewhere near the mouth of Flint river, on the 21st instant, for the purpose of concerting measures for the destruction of the inhabitants on the Chattahoochie, and the reduction of this post. In the latter object they expect to succeed, owing to our want of supplies; and their calculations are not without a reasonable prospect of success, should not uncommon exertions be made to supply us from your quarter, as this command has been without meat at this time for five or six days, and have barely a hope of receiving a temporary supply by a command sent to fort Gaines, for the purpose of collecting a few beef cattle.

I have heard from the bay this evening, one vessel had arrived there, with the clothing and military stores, having on board very little if any more provisions than will be required by the command on board of her, and without certain information of other vessels being on the way.

I have to request you will let me hear from you without loss of time, and that you will inform me of the prospect of supplies from your quarter.

I am, sir,

Most respectfully,

Your obedient servant,

M. ARBUCKLE,

Lieut. col. com'g.

Brig. gen. Glascock,
Chehaw town, Flint River.

No. 4.

Hartford, January 24, 1818.

SIR,

I have the honor to acknowledge the receipt of your requisition under date of the 19th, and to report that the contractor cannot comply with it in full: but that there is engaged to the contract, to have been delivered at Fort Hawkins on the 20th of this month, seventy thousand rations of pork, which, together with the provisions the money I have, or may have, will procure, shall be furnished the troops.

I have the honor to be,

Most respectfully,

Your obedient servant,

(Signed) O. W. CALLIS,

C. Agent.

Major General Gaines.

Extracts of a letter from George Graham, Acting Secretary of War, to General Gaines, dated 30th Oct. 1817

"I have the honor to acknowledge the receipt of your letter of the 1st inst. covering a copy of the reply which was made by ten of the Seminole towns, to the demand made by you on them, for the surrender of the murderers of some of our citizens."

"The papers have been submitted to the President, and I am instructed by him to inform you, that he approves of the movement of the troops from fort Montgomery to fort Scott. The appearance of this additional force, he flatters himself, will at least have the effect of restraining the Seminoles from committing farther depredations, and, perhaps, of inducing them to make reparation for the murders which they have committed. Should they, however, persevere in their refusal to make such reparation, it is the wish of the President, that you should not *on that account* pass the line, and make an attack upon them within the limits of Florida, until you shall have received further instructions from this department."

"You are authorized to remove the Indians still remaining on the lands ceded by the treaty made by general Jackson with the Creeks; and, in doing so, it may be proper to retain some of them as hostages, until reparation may have been made for the depredations which have been committed: on this subject however, as well as the manner of removing them, you will exercise your discretion. M'Intosh and the other chiefs of the Creek nation, who were here some time since, expressed then, decidedly, their unwillingness to permit any of the hostile Indians to return to their nation."

"P. S. The authority to remove the Indians will, of course, not extend to those Indians and their families, who have claims to reservations of land under the treaty."

(Copy.)

Department of War, 26*th December*, 1817.

SIR,

You will repair with as little delay as practicable, to Fort Scott, and assume the immediate command of the forces, in that quarter, of the southern division.

The increasing display of hostile intentions by the Seminole Indians, may render it necessary to concentrate all the contiguous disposable force of your division, upon that quarter. The regular force now there, is about eight hundred strong, and one thousand militia of the the state of Georgia, are called into service: General Gaines estimates the strength of the Indians at twenty seven hundred. Should you be of opinion, that our numbers are too small to beat the enemy, you will call on the executives of the adjacent states, for such an additional militia force as you may deem requisite.

General Gaines had been ordered early in last month, to repair to Amelia Island. It is presumed that he had therefore, relinquished the command at Fort Scott Subsequent orders have been issued to the general, (copies of which will be furnished to you) advising him, that you would be directed to take command, and directing him to reassume, should he deem the public interest to require it, the command at Fort Scott, until you should arrive there. If, however, the general should have progressed to Florida, before the subsequent orders, may have reached him, he was instructed to penetrate to the Seminole towns, through Florida; provided the strength of his command at Amelia would justify his engaging in offensive operations. With this view, you may be prepared to concentrate your force, and to adopt the necessary measures to terminate a conflict, which it has ever been the desire of the President, from considerations of humanity, to avoid; but which is now made necessary by their settled hostilities.

I have the honor to be, &c. &c.

[Signed] J. C. CALHOUN.

Major General Andrew Jackson,
Nashville, Tennessee.

(Copy.)

Department of War, 26th December, 1817.

SIR,

Your letters of November the 26th, and of the 2d and 3d instant, were received by this morning's mail. The fate of the detachment under lieut. Scott, is much to be regretted, but, under all the circumstances, no blame can attach to yourself, or the officers

immediately concerned. When the order of the 12th of November was given, directing you to repair to Amelia Island, it was hoped that the Seminoles would have been brought to their reason, without an actual use of force; and that their hostility, would not assume so serious an aspect. It is now a subject of much regret, that the service in that quarter has been deprived of your well-known skill and vigilance.

Before this will reach you, it is hoped, that the views of the President in relation to the settlement on Amelia Island, will have been effected. Should that be the case, it is his wish, that you should immediately repair to Fort Scott, and resume the command till general Jackson's arrival, to whom orders have this day been sent, to take command there; or, if you should think the force under your command sufficient, and other circumstances will admit, to penetrate through Florida, and co-operate in the attack on the Seminoles. I am not sufficiently acquainted with the topography of the country between Amelia and their towns, to say whether it is practicable, or what would be the best route, but it is not improbable, that some advantage might be taken of the St. John's river, to effect the object. Should it be practicable, it is probable, efficient aid might be given to the attack on them, as the attention of their warriors must be wholly directed towards Fort Scott. Should you think it practicable, and advisable, to co-operate with the force under your command, you will leave a sufficient number at Amelia Island, to retain the possession of that place.

I have the honor to be, &c. &c.

[Signed] J. C. CALHOUN.

Brevet Major General E. P. Gaines,
Amelia Island, via St. Mary's, Georgia.

Copy of a letter from J. C. Calhoun, Secretary of War, to General Gaines, dated 16th December, 1817.

SIR,

On the receipt of this letter, should the Seminole Indians still refuse to make reparation for their outrages and depredations on the citizens of the United States, it is the wish of the President, that you consider yourself at liberty to march across the Florida line, and

to attach them within its limits, should it be found necessary, unless they should shelter themselves under a Spanish fort. In the last event you will immediately notify this Department.

I have, &c.

(Copy.)

War Department, 9th December, 1817.

SIR,

Your letter bearing date the 21st ultimo, advising of the arrival of the 1st Brigade at Fort Scott, on the 19th ultimo, and of the subsequent attack on the Indians at Fowl Town, has been received.

Although the necessity of this attack and the consequent effusion of blood is exceedingly to be regretted, yet it is hoped that the prompt measures which were taken by you, on your arrival at Fort Scott, and the display of such an efficient force in that quarter will induce the Indians to abstain from further depredations and to sue for peace.

Referring to the letters addressed to you from this Department on the 30th of October, and 2d of December, as manifesting the views of the President, I have to request that you conform to the instructions therein given. Should the Indians, however, assemble in force on the Spanish side of the line and persevere in committing hostilities within the limits of the United States, you will, in that event, exercise a sound discretion as to the propriety of crossing the line, for the purpose of attacking them and breaking up their towns.

I have, &c.

[Signed] J. C. CALHOUN.

Major General E. P. Gaines,
to be forwarded by the postmaster at Milledgeville.

Copy of a letter from George Graham, acting Secretary of War, to general Gaines, dated 2d December, 1817.

SIR,

Your letter of the 9th ultimo advising of the call on the governor of Georgia, to assemble the auxiliary force which had been previously required by you at Fort Hawkins, on the 25th ultimo, has been received. It is hoped that the letter addressed to you from this department, on the 30th October, will have been received, and that you will confine your operations to the objects stated in that communication, and to such a disposition of the regular force under your command, as will deter the Seminole Indians from making further depredations on the frontiers of Georgia.

The state of our negotiations with Spain, and the temper manifested by the principal European powers, make it impolitic, in the opinion of the President, to move a force at this time into the Spanish possessions, for the mere purpose of chastising the Seminoles for the depredations which have heretofore been committed by them.

I have, &c. &c.

(Extract.)

The Secretary of War, to Brevet Maj. Gen. Edw. P. Gaines.

Department of War, 16th January, 1818

SIR,

The honor of the United States requires, that the war with the Seminoles should be terminated speedily, and with exemplary punishment for hostilities so unprovoked. Orders were issued, soon after my arrival here, directing the war to be carried on, within the limits of Florida, should it be necessary to its speedy and effectual termination. The orders, I presume, have been received.

As soon as it was known that you had repaired to Amelia Island, in obedience to orders, and it being uncertain how long you

might be detained there, the state of things at Fort Scott, made it necessary to order gen. Jackson to take command there. From his known promptitude, it is presumable that his arrival may be soon expected, and, in the mean time, full confidence is placed in your well established military talents. I hope the junction of the militia will enable you to carry on offensive operations, and to restrain the enemy from depredations on the frontier.

I have the honor to be, &c. &c.

(Signed) J. C. CALHOUN.

Bt. Maj. Gen. Ed. P. Gaines,
Fort Scott, Georgia.

Extract of a letter from John C. Calhoun, Secretary of War, to Maj. Gen. Andrew Jackson, dated 29th January, 1818.

Your letters of the 12th and 13th instant, are received. The measures you have taken to bring an efficient force into the field are approbated, and a confident hope is entertained that a speedy and successful termination of the Indian war will follow your exertions.

(Copy.)

[Extract.] *Department of War, 6th Feb. 1818.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 20th ultimo, and to acquaint you with the entire approbation of the President of all the measures which you have adopted to terminate the rupture with the Indians.

The honor of our army, as well as the interest of our country,

requires that it should be as speedily terminated as practicable; and the confidence reposed in your skill and promptitude assures us that peace will be restored on such conditions as will make it honorable and permanent.

I have, &c.

Major General A. Jackson,
Fort Scott, Georgia.

Department of War, 13th May, 1818.

SIR,

Your letter of the 15th April was a few days since received. Not anticipating your return to the territory, my last communication was directed to your former residence in Georgia; but I presume it has been forwarded to you, and I will not, therefore, repeat its contents. I do hope that the war has ere this terminated in the submission of the Seminoles; but if this should not be the fact, you will make such arrangements, and incur such expense as in your judgment, the defence of the territory may require. You are authorized to draw on the department for funds to cover the disbursements you may order. Enclosed is a copy of the order authorizing Gen. Gaines to carry the war into Florida; and you will consider it as furnishing authority to the troops of the territory to pass the Florida line, should it be necessary. I send also a copy of a message of the President, communicating information in relation to the Seminole war. General Jackson is vested with full powers to conduct the war, in the manner which he may judge best.

I have the honor, &c.

[Signed] J. C. CALHOUN.

His Excellency,
Wm. W. Bibb, Gov. of Alabama Ty.

(Copy.)

Department of War, 14*th Aug*, 1818.

SIR,

The President having determined to restore St. Marks, and Penscaola, with the Barancas, to the Spanish authority, I am directed to issue orders, to carry this determination into effect. You will, accordingly, give the necessary orders to the commandant at Pensacola, to surrender that place with the Barancas, to any Spanish officer properly authorized to receive them, authority from the governor general at the Havannah, or the Spanish minister, Don Onis, is considered sufficient, or in case the governor late in possession of West Florida, Don Tare Maxot, should himself appear to receive possession, it will be restored to him, on his own authority. St. Marks will be restored to the late Spanish commandant, should he appear to receive it, or to any officer having similar authority, as in the case of Pensacola, provided he is accompanied with a sufficient force to garrison it, so as to prevent the post from being seized by the hostile Indians. Its situation in the midst of the hostile Indians, renders this precaution necessary. You, who have an accurate knowledge of the strength of the Indians, and of the post, will be able to give precise instructions on this point. It is sufficient, that the Spanish force be so considerable, as will probably prevent any attempt by the Indians to occupy it.

Public property will be restored in the condition, as far as practicable, in which it was taken possession of. On evacuating these posts, you will make such arrangements, as will be the best calculated to hold the Indians, still remaining hostile, in check, and to cover our frontier. To effect these objects, it is thought, that it will not be necessary to take post, to the west of the Appalachicola, within the Florida line, as the Indians in that quarter are said to be very inconsiderable. You will, accordingly, station the troops which may be thought to be necessary for the protection of that portion of the frontier, on our side of the line, unless your impression should be decidedly different from that I have stated; in which event, you will take post, at any point which you may judge proper, within the country possessed by the Indians. On the east of the Appalachicola, you may station the troops, on either side of the line, as you may judge proper. Fort Gadsden, besides admitting of great facility for supplies, appears to me to be a very commanding position, and ought not to be evacuated. Should you think so, you will retain it and garrison it with a sufficient force.

I trust you will be able to make such a distribution of your command, as to afford with vigilance, effectual protection to the frontier,

without resorting to the militia. It is of great importance, if the militia can be dispensed with, not to call them out into actual service, as it is harrassing to them, and exhausting to the Treasury. Protection is the first object, and the second, is protection by the regular force.

I have, &c.

[Signed] J. C. CALHOUN.

Brevet Major General E. P. Gaines,
Fort Hawkins, Georgia.

(Copy.)

Department of War, 14*th Aug.* 1818.

SIR,

I enclose for your information, a copy of the orders to general Gaines, growing out of the late decision of the President, relative to St. Marks and Pensacola.

I was directed by the President to wait the reply of the Spanish minister to Mr. Adams' letter to him, which, not being received until the day before yesterday, has caused so great a delay, as to render it necessary to send the orders direct to general Gaines, without passing them through you.

I have. &c.

[Signed] J. C. CALHOUN.

Major General Jackson,
Nashville, Tennessee.

(Copy.)

Department of War, 19*th Aug.* 1818.

SIR,

I send you the enclosed extract from the letter of the secretary of state to the Spanish minister, in relation to St. Marks and Pensa-

cola. My instructions to you of the 24th inst. contain the substance of this extract; and my object, in communicating it now, is, that you may be in possession of the precise ideas communicated to the Spanish minister, in case any difficulty should occur.

I have, &c.

General E. P. Gaines.

Copy of a letter from Maj. Gen. Jackson to the Secretary of War.

Nashville, 20th January, 1818.

Head Quarters, Division South.

SIR,

In a communication to you of the 12th inst. I acknowledged the receipt of your order of the 26th ult. and advised you of the appeal I had made to the patriotism of the West Tennesseans. On yesterday, the officers who had so gallantly headed the Tennessee mounted volunteers, during the Creek campaigns, met me at this place, and give every assurance of their ability, to assemble two regiments of mounted gun men by the 31st instant, at any designated point within the western part of this state. I have ordered them to rendezvous at Fayetteville, and as many as may appear on the 31st instant, or the 1st February, to be mustered and received into the service for six months (if not sooner discharged) by my inspector general. The contractor has instructions to issue to these troops twenty days rations, and every measure has been adopted to facilitate their march, via Fort Jackson, by the most direct practicable route to Fort Scott. These troops will be well supplied as far as Fort Jackson, and there the necessary provisions may be obtained and packed to answer their immediate wants, until they are intercepted by supplies from below. Major Fanning has been dispatched to Fort Hawkins, to purchase and forward on there supplies to the most convenient point of interception. I have advanced to him two thousand dollars, with authority to draw on the quartermaster general for any additional sums wanted, and imposed upon him the temporary duties of deputy quartermaster general.

I am compelled to this arrangement from an impression that there can be no officer of the quartermaster's department in the vicinity of Fort Hawkins, and col. Gibson could not possibly reach

that neighborhood to effect the objects wished. My inspector gen. col. Hayne, (no brigadier general having volunteered his services,) is charged with conducting the march of the two regiments of Tennessee volunteers, to the southern frontier. From the contents of col. Arbuckle's and maj. Muhlenburg's letters, copies of which are herewith enclosed, you will readily perceive that the former must remain inactive, and that the latter is in a dangerous situation. Every information from our southern frontier justifies the decisive measures I have taken, and urges the prompt movement of the volunteers called into service. I trust you will view the subject in the same light, and that my arrangements may meet with your entire approbation. The troops now assembled on our southern boundary, reinforced with the Tennessee volunteers called into service, will enable me to inflict speedy and merited chastisement on the deluded Seminoles. I remain here to facilitate every arrangement for the prompt movement of the Tennessee detachment, but will leave this on the 22d instant, for Fort Scott, via Fort Hawkins. From col. Arbuckle's letter, I am advised of the departure of gen. Gaines from Fort Scott, and the newspapers communicate the information of the Georgia contingency being commanded by a brigadier general. As he must consequently be the commanding officer of the forces in the neighborhood of Fort Scott, I have this day directed instructions to him, by no means to precipitate himself into a general engagement with the Seminoles, but at all hazards to relieve, if possible, major Muhlenburg from his present situation, and cover his ascent up the Appalachicola river.

I have further advised him of my movements, and directed that he should remain on the defensive; collect all the necessary supplies, and have every preparation made for an active campaign, as soon as reinforced by the Tennesseans.

General Gaines has been notified of this order. I have no later advices from him than that of the 2d of December, informing me of the catastrophe of lt. Scott and party.

Your letter enclosing your general order of the 29th ult. has been received. Like yourself, I have no other feelings to gratify than those connected with the public good, and it gives me pleasure to find that we coincide in those opinions calculated to produce it. Responsibility now rests where it should, on the officer issuing the order, and the principle acknowledged is calculated to ensure that subordination so necessary to the harmonious movement of every part of the military machine. It would afford me much pleasure to communicate with you on all military points, which my experience may enable me to elucidate.

With respect, &c.

[Signed] **ANDREW JACKSON,**

Maj. Gen. commanding.

Hon. J. C. Calhoun, Secretary of War.

Extract of a letter from major general Andrew Jackson, to the Secretary of War, dated

Fort Hawkins, 10th February, 1818.

I reached this place last evening, when I learned by sundry communications received from brevet major general Gaines, that the Georgia militia, under general Glascock, had all returned home, leaving the frontier in a very exposed situation. The regular troops at fort Scott have been out of provisions, but the means adopted by major general Gaines to remedy that evil, induces a strong presumption, that they are by this time supplied, which, with the stores ordered by me from New Orleans, will, I think, afford us an ample supply for the campaign. The contractor having failed, General Gaines has, by my order, directed the quartermaster to purchase provisions, in which he has succeeded so far as to procure 1100 hogs, and a sufficiency of bread stuff; this will march the troops to and from the seat of war.

I am without any official advice as to the preparation and march of the late requisition from the state of Georgia.

Extract of a letter from major general Andrew Jackson, to the Secretary of War, dated at Hartford, Georgia, February 14th, 1818.

I arrived at this place on the evening of the 12th, and here met with gen. Gaines. From a letter received from the governor of Georgia, advising of the movement of the militia from the several counties to the designated point of rendezvous, as well as the punctuality with which the troops have assembled here under General Gaines' requisition, has induced a hope that I shall be enabled to make a prompt and speedy march, for the relief of fort Scott. I enclose you a copy of a letter from col. B. G. Orr to captain Callis, contractor's agent at Fort Hawkins. From the sum with which he states to have furnished his agents in this country, you can judge how far efficient means have been adopted to ensure the necessary supplies to the troops heretofore in service, as well as those summoned to the field under the late requisition. The mode of provisioning an army by contract, is not adapted to the prompt and efficient movement of troops. It may

answer in time of profound peace, where a failure or delay cannot produce any serious ill consequences. But where active operations are necessary, and success dependent on prompt and quick movements, there is no dependence to be placed on the contractor.

His views are purely mercenary, and where supplies will not ensure him a profit, he hesitates not on a failure, never regarding how far it may defeat the best devised plans of the commander in chief. Experience has confirmed me in this opinion, and the recent failure has prompted me again to express it.

The plan which has been adopted to procure the necessary supplies for the army, to transport them to fort Scott, and the quantity otherwise ordered to that point, will, I hope, relieve me from any embarrassment on that account, until a decisive blow has been struck upon the enemy.

I have been so frequently embarrassed from the failures of contractors, that I cannot but express a hope that some other more efficient and certain mode of supplying our army, may be adopted. Such a plan as will render those charged with the execution of so important a trust responsible to military authority, and expose to severe and merited chastisement, whenever defaulters, at the discretion of a court martial.

Head Quarters, Division of the South,
Fort Early, 26th Feb. 1818.

SIR,

In my last from Hartford, (Georgia) of the 14th instant, I expressed a hope, that the plans adopted to procure supplies for the detachment from Georgia, to transport them to Fort Scott, together with the quantity ordered to that point, would relieve me from many embarrassments on that account, until a decisive blow could be struck from the enemy. The Georgia detachment marched from their encampment near Hartford, on the 19th instant, and on that night general Gaines received a letter from lieutenant colonel Arbuckle, commanding at Fort Scott, containing such intelligence of his intention to abandon that post, in the event of not receiving supplies in a short given time, as induced him (general Gaines) to set out that night, and if possible, by reaching the place in time, to prevent such a disastrous movement.

The general has, as he communicated to me, ordered a large supply of provisions to the Creek agency, to be transported in boats to Fort Scott and this place, which would serve until that ordered from Mobile (by himself) should arrive: and under that order did calculate on meeting two boats loaded with flour on his reaching this place, but was deceived; having arrived here on the night of the 20th, which he left on the evening of the 21st, in a small boat with twelve men. On the night of the 22d, I received by express a letter directed to general Gaines, and dated the 19th instant, from captain Melvin of the 4th infantry, who had been charged by general Gaines to build the boats at the agency, and have the provisions transported thence, stating that two boats would be finished in two days, which would transport upwards of one hundred barrels of flour each. These I had strongly calculated on; but they have not arrived. The excessive rains have rendered the roads so bad, that I ordered the troops, on their march here, to take their baggage on the wagon horses, and abandon their wagons; this facilitated their march to this place, which they reached to day; and eleven hundred men are now here without a barrel of flour or a bushel of corn. We have pork on foot, and to morrow I shall proceed to Fort Scott, and endeavor to procure from the Indians a supply of corn that will aid in subsisting the detachment until we reach that place. How those failures have happened under the superintendence of regular officers, I cannot imagine, but blame must rest some where, and it shall be strictly investigated, as soon as circumstances will permit.

The waters are unusually high, and the ground so rotten, that it is with much difficulty even pack horses can pass. Every stream we are compelled either to bridge or swim.

I have the honor to be, &c.

[Signed] ANDREW JACKSON,

Major General Commanding.

Hon. John C. Calhoun,
Secretary of War.

Fort Gadsden, East Bank of the Appalachicola river,
formerly Negro Fort, Head Quarters, due south,
March 25, 1818.

SIR,

At 7 o'clock, P. M. on the 9th instant, I reached fort Scott, with the brigade of Georgia militia, 900 bayonets strong, and some of the

friendly Creeks, who had joined me on my march, a few days before, where, finding but one quart of corn per man, and a few poor cattle, which, added to the live pork I brought along, would give us three days' rations of meat, determined me at once, to use this small supply to the best advantage. Accordingly, having been advised by col. Gibson, quartermaster general, that he would sail for New Orleans on the 12th of February, with supplies, and being also advised that two sloops with provisions were in the bay, and an officer had been despactched from fort Scott in a large keel boat, to bring up a part of their loading, and deeming that the preservation of these supplies would be to preserve the army and enable me to prosecute the campaign, I assumed the command on the morning of the 10th, ordered the live stock slaughtered, and issued to the troops with one quart of corn to each man, and the line of march to be taken up at 12 meridian. Having to cross the Flint river, which was very high, combined with some neglect in returning the boats during a very dark night, I was unable to move from the opposite bank until 9 o'clock on the morning of the 11th, when I took up my line of march down the east bank of the river for this place, touching the river as often as practicable, looking for the provision boat which was ascending, and which I was fortunate enough to meet on the 13th, when I ordered an extra ration to the troops, they not having received a full one of meal or flour since their arrival at Fort Early. On that day my patroles captured three prisoners and found some hidden corn. On the morning of the 14th, I ordered the boat down the river to this place, whilst I descended by land, and reached here without interruption on the 16th. The eligibility of this spot as a depot, determined me, and I immediately directed my aid-de-camp, lieut. Gadsden of the engineer corps, to furnish a place for, and superintend the erection of a fortification. His talents and indefatigable zeal displayed in the execution of this order, induced me to name it Fort Gadsden, to which he is justly entitled. On my arrival here, I immediately despatched the boat to the bay for the balance of the provisions known to be there, and to ascertain whether the flotilla, in charge of col. Gibson, had reached there, and which returned on the 19th with the unpleasing intelligence, that nothing had been heard from the flotilla from New Orleans since it was seen passing Fort Bowyer. I immediately put the troops on half rations, and pushed the completion of the Fort for the protection of the provisions, in the event of their arrival, intending to march forthwith to the heart of the enemy and endeavor to subsist upon him. In the mean time I despatched maj. Fanning of the corps of artillery, to take another look into the bay, whose return on the morning of the 23d, brought the information that col. Gibson, with one gun boat and three transports, and others in sight, were in the bay. On the same night I received other information that no more had arrived. I am therefore apprehensive that some of the smaller vessels have been lost, as one gun boat went to pieces, and another when last spoken, had one foot water in her hold; all the ves-

sels had been spoken after a gale that dispersed them. A north and northwest wind has prevailed for six days, but has fortunately changed this morning. I am now awaiting a boat from the bay (which is expected to day) to complete 8 days rations for my troops, upon which I mean to march.

From information received from Pensacola and New Orleans, I have no doubt but that St. Marks is in possession of the Indians. The governor of Pensacola informed capt. Call, of the 1st infantry, (now here) that the Indians had demanded arms, ammunition, and provisions, or the possession of the garrison of St. Marks of the commandant, and that he presumed possession would be given from inability to defend it. The Spanish government is bound by treaty to keep her Indians at peace with us. They have acknowledged their incompetency to do this, and are consequently bound by the law of nations, to yield us all facilities to reduce them. Under this consideration, should I be able, I shall take possession of the garrison as a depot for my supplies, should it be found in the hands of the Spaniards, they having supplied the Indians; but if in the hands of the enemy, I will possess it for the benefit of the United States, as a necessary position for me to hold, to give peace and security to this frontier, and put a final end to Indian werfare in the south.

Finding it very difficult to supply Fort Crawford on the Canecub by land, I have ordered the supplies for that garrison by water, and written to the governor of Pensacola, that if he interrupts them during the present Indian war, I shall view it as aiding our enemy, and treat it as an act of hostility; and stated to him the propriety under existing circumstances, of his affording all facilities to put down their own as well as our enemies, and that our governments, while negotiating, can take the subject under consideration, but in the mean time our provisions must pass to Fort Crawford by water, without interruption.

In mine of the 14th February, from Hartford, I informed you of the means adopted to procure supplies; and in my last, of the 26th, from Fort Early, I informed you of their situation. To these communications I beg leave to refer you. I have only to add, that I left Fort Early for Fort Scott, and subsisted my troops on ground peas, corn, and pork, that I could occasionally procure from the Indians, with some pork that I had on foot; the whole subsistence for man and horse not costing five hundred dollars. Of all the supplies purchased for the relief of Fort Scott and the support of the Georgia militia, not one pound was received until I passed Fort Scott. I said in my last that blame rested somewhere; the cause of those failures will, in due time, be a subject of investigation; and col. Brearley has been arrested on the application of gen. Gaines.

By some strange fatality, unaccountable to me, the Tennessee volunteers have not yet joined me. They promptly left their homes, and through the inclement weather reached fort Mitchell, where I had ordered them supplies, and where col. Hayne, who led them, met my

instructions to pass by fort Gaines, where he would get a supply of corn, that would enable him to reach fort Scott. But the idea of starvation had stalked abroad; a panic appears to have spread itself every where, and he was told that they were starving at fort Gaines and fort Scott, and he was induced to pass into Georgia for supplies. His men and officers, as reported to me, were willing to risk the worst of consequences, on what they had, to join me; however, they have been marched from their supplies to a country stripped of them, when every consideration should have induced his advisers to have urged him on to secure the supplies in the bay, and preserve themselves and fort Scott from starvation. I have a hope they will join me before I reach St. Marks, or the Mekasuky towns; this would be desirable, as the troops ordered from New Orleans, to protect the supplies, have not reached the bay; and leaving garrisons at forts Scott and Gadsden weakens my force much; the whole effective strength of the regulars being but 360 privates.

In mine, of the 26th ult. from fort Early, I stated that despatches received from gen. Gaines, on the 19th inst. from the commanding officer at fort Scott, induced him to set out that night for fort Scott, to prevent its abandonment, &c. In his passage down the Flint he was shipwrecked, by which he lost his assistant adjutant general, major C. Wright, and two soldiers, drowned. The general reached me six days after, nearly exhausted by hunger and cold, having lost his baggage and cloathing, and being compelled to wander in the woods four and a half days without any thing to subsist on, or any cloathing except a pair of pantaloons. I am happy to have it in my power to say that he is now with me, at the head of his brigade, in good health.

The great scarcity of subaltern officers in the 4th and 7th regiments of infantry, has induced me to appoint several young men, present, as 2d lieutenants in the regiments, who, from personal knowlede and good recommendations, I have no doubt will prove themselves worthy, and I trust will meet with the approbation of the President. A list of their names, and the regiments to which they are attached, will be furnished the adjutant and inspector general, by my adjutant general.

[Signed] ANDREW JACKSON,

Major General Commanding.

P. S. Since writing the above, I have the pleasure to inform you that the boat from the bay has arrived with provisions; also colonel Gibson and captain M'Keever of the navy. I shall move to-morrow, having made the necessary arrangements with captain M'Keever for his co-operation, in transporting my supplies around to the bay of St. Marks, from which place I shall do myself the honor of communicating with you. Should our enemy attempt to escape with his supplies and booty to the small islands, and from thence to carry on a predatory warfare, the assistance of the navy will prevent his escape.

General M'Intosh, commanding the friendly Creeks, who had been ordered to reconnoitre the right bank of the Appalachicola, reported to me on the 19th, that he had captured, without the fire of a gun, one hundred and eighty women and children, and fifty-three warriors of the Red Ground Chief's party, with their cattle and supplies. The chief and thirty warriors making their escape on horseback. Ten of the warriors attempting to escape after they had surrendered, were killed by the general.

[Signed] A. J.

The Hon. J. C. Calhoun,
Secretary of War.

Copy of a letter from Gen. Jackson to the Secretary of War.

Head Quarters, Division of the South,
Camp near St. Marks, 8th April, 1818.

SIR,

I wrote you from Fort Gadsden, communicating the embarrassments under which I had labored previous to my arrival at that post, and my determination, being then in a situation to commence active operations, to penetrate immediately into the centre of the Seminole towns. My army marched on the 26th ult. and on the 1st of April, was reinforced by the friendly Creek warriors under general M'Intosh, and a detachment of Tennessee volunteers, commanded by col. Elliott. On the same day, a mile and a half in advance of the Mekasukian villages, a small party of hostile Indians were discovered, judicially located on a point of land projecting into an extensive marshy pond, the position designated, as since understood, for the concentrating of the Negro and Indian forces to give us battle. They sustained for a short period a spirited attack from my advanced spy companies, but fled and dispersed in every direction upon coming in contact with my flank columns, and discovering a movement to encircle them. The pursuit was continued through the Mekasukian towns until night compelled me to encamp my army. The next day detachments were sent out in every direction to reconnoitre the country, secure all supplies found, and reduce to ashes the villages.

The duty was executed to my satisfaction; nearly three hundred houses were consumed, and the greatest abundance of corn, cattle, &c. brought in. Every indication of a hostile spirit was found in the habitations of their chiefs. In the council houses of Kenhagees town, the king of the Mekasukians, more than fifty fresh scalps were found, and in the centre of the public square the old Red Stick's standard, *a red pole* was erected, crowned with scalps, recognised by the hair, as torn from the heads of the unfortunate companions of Scott. As I had reason to believe that a portion of the hostile Indians had fled to St. Marks, I directed my march towards that fortress. As advised, I found that the Indians and Negroes combined had demanded the surrender of that work. The Spanish garrison was too weak to defend it, and there were circumstances reported, producing a strong conviction in my mind, that if not instigated by the Spanish authorities, the Indians had received the means of carrying on the war from that quarter. Foreign agents, who have been long practising their intrigues and villanies in this country, had free access into the fort. St. Marks was necessary as a depot to ensure success to my operations; these considerations determined me to occupy it with an American force. An inventory of Spanish property, munitions of war, &c. has been taken and receipted for. Personal rights and private property have been respected, and the commandant and garrison furnished with transportation to Pensacola. My correspondence with the Spanish commandant, the evidences under which I acted, and a detailed account of my operations, will be furnished you as early as practicable. Success depends upon the rapidity of my movements; tomorrow I shall march for the Suwaney river; the destroying the establishments on which, will, in my opinion, put a final close to this savage war.

Captain M'Keever of the navy, cruising at my request on this coast, has been fortunate enough to secure Francis, or Hillis Hago the great prophet, and Hemattlemico, an old Red Stick chief. They visited his vessels under an impression they were English, from whom, as they stated, supplies of munitions of war &c. under late promises, were expected. Arbuthnot, a Scotchman, and suspected as an instigator of this savage war, was found in St. Marks; he is in confinement until evidences of his guilt can be collected.

I am, &c. your most obedient servant,

ANDREW JACKSON,

Major General commanding.

Camp, 16 miles from St. Marks, on march to Suwaney,

9th April, 1818.

From evidence furnished me by a Mr. Hambley, there is little room to doubt but what one of the chiefs found slain on the field in advance of the Mekasukian villages, was Kenhajee. Francis, or

Hills Hago and Hemattlemico, the prime instigators of this war, have been hung; the latter commanded the party who so inhumanly sacrificed Scott and his companions. Col. Dyer with the remainder of the Tennessee volunteers, is in the neighborhood, and will unite with me to-morrow.

A. J.

Head quarters, Division of the South, Bowley's town, Suwaney River, 20th April, 1818.

SIR,

My last commnnication dated camp before St. Marks, 8th April, and those to which it referred, advised you of my movements and operations up to that date; and as I then advised you, I marched from that place on the morning of the 9th. On the evening of the 10th, I was joined by the rear of the Tennessee volunteers, also by the Indians under General M'Intosh, whom I had left at Mickasuky to scour the country around that place. Although the weather has been dry and pleasant, and the waters had subsided in a great degree, our march might be said to have been through water, which kept the infantry wet to the middle, and the depth of the swamps, added to the want of forage, occasioned the horses to give out daily in great numbers. On the morning of the 12th near Econfinah or natural bridge, a party of Indians were discovered on the margin of a swamp and attacked by general M'Intosh, and about fifty Tenessee volunteers, who routed them, killing thirty seven warriors, and capturing six men and ninety-seven women and children. Also recapturing a white woman who had been taken at the massacre of Scott. The friendly Indians also took some horses, and about five hundred head of cattle from the enemy, who proved to be M'Queen's party. Upon the application of an old woman of the prisoners, I agreed that if M'Queen was tied and carried to the commandant of St. Marks, her people should be received in peace, carried to the upper tribes of the Creek nation, and there provisioned until they could raise their own crops. She appeared much pleased with those terms, and I set her at liberty with written instructions to the commandant of St. Marks, to that effect. Having received no further intelligence from M'Queen, I am induced to believe the old woman has complied with her part of the obligation. From St. Marks I marched with eight days rations, those that joined me having but five: this was done under the expectation of reaching this place in that time, founded upon the report of my faithful Indian guide, which I should have accomplished, but for the poverty of my horses and the continued sheets of water through which we had to

pass. On the morning of the 15th, my scouts overtook a small party of Indians killing one man, and capturing the residue, consisting of one man and woman and two children; and on that evening I encamped, as my guide supposed, within twelve miles of Suwaney. I marched very early on the 16th, under the hope of being able to encompass and attack the Indian and Negro towns by one o'clock P. M. but much to my regret, at 3 o'clock, and after marching sixteen miles we reached a remarkable pond, which my guide recollected and reported to be distant six miles from the object of my march: here I should have halted for the night, had not six mounted Indians (supposed to be spies) who were discovered, have effected their escape; this determined me to attempt, by a forced movement, to prevent the removal of their effects, and, if possible, themselves from crossing the river; for my rations being out it was all important to secure their supplies for the subsistance of my troops. Accordingly, my lines of attack were instantly formed, and put in motion; and about sun set my left flank column, composed of the second regiment of Tennessee volunteers commanded by colonel Williamson and a part of the friendly Indians under colonel Kanard having approached the left flank of the centre town, and commenced their attack, caused me to quicken the pace of the centre, composed of the regulars, Georgia militia, and my volunteer Kentucky and Tennessee guards, in order to press the enemy in his centre, whilst the right column, composed of the first regiment of Tennessee volunteers, under colonel Dyer, and a part of the friendly Indians, headed by general M'Intosh, who had preceded me, were endeavoring to turn his left, and cut off his retreat to the river. They, however, having been previously informed of our force, by a precipitate retreat, soon crossed the river, where it is believed colonel Kanard, with his Indians, did him considerable injury. Nine negroes and two Indians were found dead, and two negro men made prisoners. On the 17th, foraging parties were sent out who found a considerable quantity of corn, and some cattle. On the 18th, having obtained some small craft I ordered general Gaines across the river with a strong detachment, and two days' provision, to pursue the enemy; the precipitancy of their flight was soon discovered by the great quantity of goods, corn, &c. strewed through the swamps, and convinced general Gaines that pursuit was in vain: nine Indian and five negro prisoners were taken by our Indians: the evidence of their haste with which the enemy had fled, induced the general to confine his reconnoisance to search for cattle and horses, both of which were much wanted by the army. About thirty head of cattle were procured, but from the reports accompanying general Gaines, which in due time will be forwarded to you, and the disobedience of his orders by the Indians, not one pound was brought into camp.

As soon as time will permit, I shall forward you a detailed account of the various little affairs with the enemy, accompanied with reports of the commanding officers of detachments; suffice it for the

present to add, that every officer and soldier under my command, when danger appeared, showed a steady firmness which convinced me, that, in the event of a stubborn conflict, they would have realized the best hopes of their country and general. I believe I may say that the destruction of this place, with the possession of St. Marks, having on the night of the 18th captured the late lieutenant Ambrister of the British marine corps, and, as represented by Arbuthnot, successor to Woodbine, will end the Indian war for the present; and should it be renewed, the position taken, which ought to be held, will enable a small party to put it down promptly. I shall order, or take myself, a reconnoisance west of the Appalachicola at Pensacola point, where, I am informed there are a few Red Sticks assembled, who are fed and supplied by the governor of Pensacola. My health being impaired, as soon as this duty is performed, the positions taken, well garrisoned, and security given to the southern frontier, (if the government have not active employment for me,) I shall return to Nashville to regain my health. The health of the troops is much impaired, and I have ordered the Georgia troops to Hartford, to be mustered, paid, and discharged,—the general having communicated his wishes, and that of his troops, to be ordered directly there, and reporting that they have plenty of corn and beef to subsist them to that point. I have written to the governor of Georgia to obtain from the state, the necessary funds to pay general Glasscock's brigade, when discharged, and that the government will promptly refund it. I am compelled to this mode to have them promptly paid, Mr. Hogan, the paymaster of the 7th regiment of infantry, (for whom I received from Mr. Brent, an enclosure said to contain $50,000) not having reached me.

From the information received from Ambrister and a Mr. Cook, who was captured with him, that A. Arbuthnot's schooner was at the mouth of this river, preparing to sail for the bay of Tamper, my aid de camp, lieutenant Gadsden, volunteered his services with a small detachment to descend the river and capture her. The importance of this vessel to transport my sick to St. Marks, as well as to destroy the means used by the enemy, induced me to grant his request. He sailed yesterday, and I expected to have heard from him this morning. I only await his report to take up the line of march on my return to St. Marks. The Georgia brigade, by whom I send this, being about to march, compels me to close it without the report of lieutenant Gadsden.

I have, &c.

[Signed] ANDREW JACKSON,

Major Gen. commanding.

The Honorable Secretary of War.

Head Quarters, Division South.

Fort St. Marks, 26th April, 1818.

SIR,

I wrote you from Bowleg's Town on the 20th instant. On the night of the same day, I received the expected despatch from aid-de-camp lieutenant Gadsden, communicating the success of his expedition; and on the next day, as soon as the sick of my army were despatched down Suwaney river, to be conveyed in the captured schooner to St. Marks, I took up the line of march for that fort. I arrived at this place last evening, performing a march of 107 miles in less than five days. Lieutenant Gadsden had reached it a few hours before me; he communicates having found among the papers of Arbuthnot, Ambristie, and Cook, letters, memorials, &c. all pointing out the instigators of this savage war, and in some measure involving the British government in the agency. These will be forwarded you in a detailed report, I purpose communicating to you as early as practicable. The old woman spoken of in my last communication to you, who had promised to use her influence in having M'Queen captured and delivered up, has not been heard of. From signs discovered on the opposite shore of St. Marks river, I am induced to believe that that Indian party is still in the neighborhood. A detachment will be sent out to reconnoitre the country, to receive them as friends, if disposed to surrender; or inflict merited chastisement, if still hostile.

I shall leave this in two or three days for fort Gadsden, and after making all necessary arrangements for the security of the positions occupied, and detaching a force to scour the country west of the Appalachicola, I shall proceed direct for Nashville. My presence in this country can be no longer necessary. The Indian forces have been divided and scattered, cut off from all communication with those unprincipled agents of foreign nations, who have deluded them to their ruin; they have not the power, if the will remain, of again annoying our frontier.

I remain, &c.

[Signed] ANDREW JACKSON,

Maj. Gen. Commanding.

Honorable J. C. Calhoun,

Secretary of War.

Head Quarters, Division South, Fort Gadsden, May 5, 1818.

SIR,

I returned to this post with my army, on the evening of the 2d inst. and embrace an early opportunity of furnishing you a detailed report of my operations, to the east of the Appalachicola river. In the several communications addressed to you, from Hartford, Fort Scott, and this place, I have stated the condition of the army, on my assuming the immediate command; the embarrassments occasioned from the want of provisions; the privations of my troops, on their march from the frontiers of Georgia; and the circumstances which compelled me to move directly down the Appalachicola river, to meet with and protect the expected supplies from Orleans. These were received on the 25th of March, and on the next day I was prepared for active operations. For a detailed account of my movements, from that period to this day, you are respectfully referred to the report prepared by my adjutant general, accompanied with captain Hugh Young's topographical sketch of the route and distance performed. This has been principally a war of movements; the enemy, cut off from their strong holds, or deceived in the promised foreign aid, have uniformly avoided a general engagement. Their resistance has generally been feeble, and in the partial rencountres into which they seem to have been involuntarily forced; the regulars, volunteers, and militia, under my command, realised my expectations. Every privation, fatigue, and exposure, was encountered with the spirit of soldiers, and danger was met with a degree of fortitude, calculated to strengthen the confidence I had reposed in them.

On the commencement of my operations, I was strongly impressed with the belief, that this Indian war, had been excited by some unprincipled foreign or private agents. The outlaws of the old Red Stick party, had been severely convinced, and the Seminoles were too weak in numbers, to believe that they could possibly, alone, maintain a war, with even partial success, against the United States. Firmly convinced, therefore, that succour had been promised from some quarter, or that they had been deluded into a belief, that America dare not violate the neutrality of Spain, by penetrating to their towns, I early determined to ascertain these facts, and so direct my movements, as to undeceive the Indians. After the destruction of the Mekasukean villages, I marched direct for St. Marks; the correspondence between myself and the Spanish commandant, in which I demanded the occupancy of that fortress with an American garrison, accompany this. It had been reported to me, direct from the governor of Pensacola, that the Indians and Negroes, unfriendly to the United States, had demanded of the commandant of St. Marks, a supply of ammunition, munitions of war, &c. threatening in the event of a non compliance, to take possession of the fort.

The Spanish commandant acknowledged the defenceless state of

his fortress, and his inability to defend it; and the governor of Pensacola, expressed similar apprehensions. The Spanish agents throughout the Floridas, had uniformly disavowed having any connexion with the Indians, and acknowledged the obligations of his Catholic majesty, under existing treaties, to restrain their outrages against the citizens of the United States.

Indeed, they declared that the Seminole Indians were viewed as alike hostile to the Spanish government, and that the will remained, though the power was wanting, to inflict merited chastisement on this lawless tribe. It was therefore to be supposed, that the American army, impelled by the immtuable laws of self defence, to penetrate the territories of his Catholic majesty, to fight his battles, and even to relieve, from a cruel bondage, some of his own subjects, would have been received as allies, hailed as deliverers, and every facility afforded to them to terminate speedily, and successfully, this savage war. Fort St. Marks could not be maintained by the Spanish force garrisoning it. The Indians and negroes viewed it as an asylum, if driven from their towns, and were preparing to occupy it in this event. It was necessary to anticipate their movements, independant of the position being deemed essential as a depot, on which the success of my future operations measurably depended. In the spirit of friendship therefore, I demanded its surrender to the army of the United States, until the close of the Seminole war. The Spanish commandant required time to reflect; it was granted, and a negotiation ensued, and an effort made to protract it to an unwarrantable length. In the conversations between my aid de camp, lieut. Gadsden, and the Spanish commandant, circumstances transpired, convicting him of a disposition to favor the Indians, and of having taken an active part in aiding and abetting them in this war. I hesitated therefore no longer, and as I could not be received in friendship, I entered the fort by violence. Two light companies of the seventh regiment of infantry, and one of the fourth, under the command of major Twiggs, was ordered to advance, lower the Spanish colors and hoist the star spangled banner on the ramparts of fort St. Marks. The order was executed promptly; no resistance attempted on the part of the Spanish garrison.

The duplicity of the Spanish commandant, in professing friendship towards the United States, while he was actually aiding and supplying her savage enemies; throwing open the gates of his garrison to their free access; appropriating the king's stores to their use; issuing ammunition and munitions of war to them; and knowingly purchasing of them, property plundered from the citizens of the United States, is clearly evinced, by the documents accompanying my correspondence.

In fort St. Marks, as an inmate in the family of the Spanish commandant, an Englishman, by the name of Arbuthnot was found, unable satisfactorily, to explain the objects of his visiting this country; and there being a combination of circumstances, to justify a sus-

picion, that his views were not honest, he was ordered in close confinement. The capture of his schooner, near the mouth of the Suwaney river, by my aid de camp, lieut. Gadsden, and the papers found on board, unveiled his corrupt transactions, as well as those of captain Ambristie, late of the British colonial marine corps, taken as a prisoner, near Bowleg's Town. These individuals, were tried under my orders, by a special court of select officers; legally convicted as exciters of this savage and negro war; legally coudemned, and most justly punished for their iniquities. The proceedings of the court martial in this case, with the volume of testimony, justifying their condemnation, presents scenes of wickedness, corruption, and barbarity, at which the heart sickens, and in which, in this enlightened age, it ought not scarcely to be believed, that a christian nation would have participated; and yet the British government is involved in the agency. If Arbuthnot and Ambristie, are not convicted as the authorized agents of Great Britain, there is no room to doubt, but that that government had a knowledge of their assumed charcter, and was well advised of the measures which they had adopted to excite the negroes and Indians in East Florida, to war against the United States.

I hope the execution of these two unprincipled villians, will prove an awful example to the world, and convince the government of Great Britain, as well as her subjects, that certain, if slow, retribution awaits those unchristian wretches, who, by false promises, delude and excite an Indian tribe, to all the horrid deeds of savage war. Previous to my leaving fort Gadsden, I had occasion to address a communication to the governor of Pensacola, on the subject of permitting supplies to pass up the Escambia river to fort Crawford. This letter, with another from St. Marks, on the subject of some United States' clothing shipped in a vessel, in the employ of the Spanish government, to that post, I now enclose, with his reply. The governor of Pensacola's refusal of my demand, cannot but be viewed as evincing an hostile feeling on his part, particularly in connexion with some circumstances, reported to me from the most unquestionable authority. It has been stated, that the Indians at war with the United States, have free access into Pensacola; that they are kept advised from that quarter, of all our movements; that they are supplied from thence, with ammunition and munitions of war; and that they are now collecting in a large body to the amount of four or five thousand warriors, in that city; that inroads from thence, have been lately made on the Alabama, in one of which, eighteen settlers fell by the tomahawk. These statements compel me to make a movement to the west of the Appalachicola, and should they prove correct, Pensacola must be occupied with an American force; the governor treated according to his deserts, or as policy may dictate. I shall leave strong garrisons in forts St. Marks, Gadsden, and Scott, and in Pensacola, should it become necessary to possess it. It becomes my duty to state it as my confirmed opinion, that so long as Spain has not the

power or will, to enforce the treaties, by which she is solemnly bound to preserve the Indians within her territory, at peace with the United States, no security can be given to our southern frontier, without occupying a cordon of posts along the sea shore. The moment the American army retires from Florida, the war hatchet will be again raised, and the same scenes of indiscriminate massacre, with which our frontier settlers have been visited, will be repeated. So long as the Indians, within the territory of Spain are exposed to the delusions of false prophets, and poison of foreign intrigue; so long as they can receive ammunition, munitions of war, &c. from pretended traders and Spanish commandants, it will be impossible to restrain their outrages. The burning of the towns, the destroying of their stock and provisions, will produce but temporary embarrassments. Resupplied by Spanish authorities, they may concentrate and disperse at will, and keep up a lasting and predatory warfare against the frontiers of the United States, as expensive to our government, as harrassing to our troops. The savages therefore, must be made dependent on us, and cannot be kept at peace, without being persuaded, of the certainty of chastisement being inflicted, on the commission of the first offence.

I trust, therefore, that the measures which have been pursued, will meet with the approbation of the President of the United States. They have been adopted, in pursuance of your instructions, and under a firm conviction, that they alone were calculated to ensure "peace and security to the southern frontier of Georgia."

The army will move on the 7th from hence, crossing the Appalachicola river at Ochesee Bluff, about forty miles above this.

(Signed) ANDREW JACKSON,

Maj. Gen. Commanding.

The hon. J. C. Calhoun, Secretary of War.

Head Quarters, Division of the South,
Fort Gadsden, 25th March, 1818.

SIR,

I have ordered a supply of provisions to be sent from New Orleans, via Pensacola, to fort Crawford on the Caneucho. This route has been adopted as the most speedy one of provisioning one of my

garrisons, which must be maintained during the present conflict against our mutual enemies, the Seminole Indians; and I cannot but express a hope, that no attempt will be made to interrupt the free passage of my transports to that post. I am not disposed to enter into any controversy with you on the rights which our government may claim to the free navigation of such water courses as head within her limits, but flow through the territory of his Catholic majesty, preferring to have these subjects to be settled by those legally authorized; but as it is necessary for me to make use of the Escambia river in passing up provisions to the garrison at fort Crawford, I wish it to be distinctly understood, that any attempt to interrupt the passage of transports, cannot be viewed in any other light, than as an hostile act on your part. I will not permit myself for a moment to believe, that you would commit an act so contrary to the interests of the king your master. His Catholic majesty, as well as the government of the United States, are alike interested in chastising a savage foe, who have too long warred with impunity against his subjects, as well as the citizens of this republic, and I feel persuaded that every aid which you can give to promote this object, will be cheerfully tendered,

[Signed] ANDREW JACKSON,

Major Gen. Comd'g.

Don Jose Massot,

Governor of Pensacola.

No. 1.

(Copy.)

Head Quarters, Division of the South,

Before St. Marks, 6th April, 1818.

SIR,

To chastise a savage foe, who, combined with a lawless band of negro brigands, have for some time past been carrying on a cruel and unprovoked war against the citizens of the United States, has com-

pelled the President to direct me to march my army into Florida. I have penetrated to the Mekasuky towns and reduced them to ashes. In these towns, I found many indications of a hostile spirit. On a red pole in the centre of the council houses of Kenhaja's Town, more than fifty fresh scalps of all ages, from the infant to the aged matron, were found suspended. In addition to this, upwards of three hundred old scalps were found in the dwellings of the different chiefs settled on the Mekasuky pond. Those barbarians who escaped death have fled. From information communicated by the governor of Pensacola to two of my captains, Gordon and Call, I was induced to believe they had fled to St. Marks for protection. The governor stated that the Indians and negroes had demanded of you large supplies of munitions of war, with a threat, in the event of a refusal, of taking possession of your fortress. He further expressed an apprehension that from your defenceless state, they were already in possession of St. Marks. The wife of Chenubby, a noted chief, now a prisoner in my camp, informed me that the hostile Indians and negroes obtained their supply of ammunition from St. Marks. To prevent the recurrence of so gross a violation of neutrality, and to exclude our savage enemies from so strong a hold as St. Marks, I deem it expedient to garrison that fortress with American troops, until the close of the present war. This measure is justifiable on the immutable principle of self defence; and cannot but be satisfactory, under existing circumstances, to his Catholic majesty, the king of Spain. Under existing treaties between our two governments, the king of Spain is bound to preserve in peace with the citizens of the United States, not only his own subjects, but all Indians tribes residing within his territory. When called upon to fulfil that part of the treaty, in relation to a savage tribe who have long depredated with impunity on the American frontier, incompetency is alleged, with an acknowledgment that the same tribe have acted in open hostility to the laws, and invaded the rights, of his Catholic majesty. As a mutual enemy, therefore, it is expected that every facility will be afforded by the agents of the king of Spain, to chastise these lawless and inhuman savages. In this light is the possession of St. Marks by the American forces, to be viewed. I came not as the enemy but as the friend of Spain. Spanish rights, and property will be respected. The property and rights of Spanish subjects will be guaranteed them. An inventory of all public property, munitions of war, &c. shall be made out, and certified by an officer appointed by each of us, and a receipt given for the same, to be accounted for to his Catholic majesty, by the United States. The subject of my possession of the garrison of St. Marks, will be referred to our respective governments for amicable adjustment.

Some armed vessels of the United States are in the bay of St. Marks, with whom I wish to communicate; you will, I trust, furnish me with a small vessel to convey a letter, as well as some sick and wounded that are with me. As our mutual savage enemies are con-

centrating their forces near, or on the Suwaney, an early and prompt answer is required to this letter, with an English translation, as neither myself or staff are acquainted with the Spanish.

This will be handed you by my aid-de-camp, lieut. James Gadsden, by whom an answer is expected.

I have, &c.

[Signed] ANDREW JACKSON,

Major Gen. Comd'g.

The Commanding Officer, St. Marks.

No. 2.

Head Quarters, Division of the South,
Camp near St. Marks, 7th April, 1818.

SIR,

I refer you to my communication of yesterday, for the motives which have compelled me to occupy the fort of St. Marks. I again repeat, that I have entered the territory of Spain as a friend, to chastise a mutual enemy of both nations, and whom his Catholic majesty was bound, under the most sacred of treaties, to have punished himself. Peculiar circumstances however, have prevented, and it was therefore expected that every facility would have been given to the American arms, to have ensured success to their operations. The occupation of St. Marks is essential to the accomplishment of my campaign, and is peculiarly so at this period, when evidence is derived from every source of the designs of the negroes and Indians against that fortress. They are now concentrating with the intention of taking possession of St. Marks, the moment my army moves from its vicinity. The dislodging them from which, will cost me more American blood than I am disposed should be shed. Success to my operations requires despatch; you will excuse me therefore, in refusing your request, that a suspension should be granted until a permit is obtained from your government, and on insisting that fort St. Marks should be immediately occupied by American troops. Major Fanning, my inspector general, and lieut. Simmaris, of the ordnance department, are appointed to act, with one or two officers nominated on your part,

to take an inventory of, and inspect all public property in the fort of St. Marks, for which receipts will be given in the name of the American government. Any disposition which you would wish made with the private property of yourself, officers and soldiers, or any other arragements gratifying to yourself, will be settled by my aid-de-camps lieut. Gadsden and Glassel.

[Signed] ANDREW JACKSON,

Major Gen. commanding.

Don Francisco Caso Luengo.
Commandant Fort St. Marks.

Head Quarters, Division of the South,

Camp near St. Marks, 7th April, 1818.

SIR,

I have received your protest against my proceedings. The occupancy of fort St. Marks by my troops, previous to your assenting to the measure, became necessary from the difficulties thrown in the way of an amicable adjustment, notwithstanding my assurances that every arrangement should be made to your satisfaction, and expressing a wish that my movements against our common enemy, should not be retarded by a tedious negotiation. I again repeat what has been reiterated to you through my aid-de-camp, lieut. Gadsden, that your personal rights and private property shall be respected; that your situation shall be made as comfortable as practicable, while compelled to remain in fort St. Marks, and that transports shall be furnished as soon as they can be obtained, to convey yourself, family, and command, to Pensacola. I daily expect some vessels from the bay of Appalachicola; as soon as they arrive, the most suitable shall be selected for said purpose.

[Signed] ANDREW JACKSON,

Major Gen. Commanding.

Don Francisco Casseo Zuaego.
Governor St. Marks.

Head Quarters, Division of the South,

Fort St. Marks. April 27, 1818.

SIR,

After I left this post for St. Juan, to disperse and destroy the mutual enemy of Spain and the United States, a small schooner with men and supplies arrived from Pensacola, and was taken possession of and detained by my officer left in command. This vessel has been liberated with all her effects, excepting some clothing of the United States, unaccompanied with any invoice, and which has been detained as supposed to be a part of that taken on board the boats within the territory of this republic, in which lieutenant Scott of the United States army, with his command were so inhumanly massacred.— I regret, being compelled to state to you, that from the papers and other proofs taken at St. Juan's, the quantity of American cattle found at St. Marks, and purchased by —— from the commissary of the post, and the intercourse kept up between this post and the hostile Indians, there is too much ground to believe that the Indians have been encouraged, aided and abetted by the officers of Spain, in this cruel war against the United States. Proof positive exists, that the Indians were supplied with ammunition by the late commandant at St. Marks. The United States clothing being found on board of a vessel, in the employ of the government of Spain, sailing from Pensacola direct for this post, compells me to call on you for a statement in what manner you came possessed of said clothing. The good understanding that so happily existed between his Catholic majesty and the United States, found a just ground to believe that his agents would have discountenanced this cruel and savage war, against the citizens of this republic. Spain, too weak to comply with her treaties with the United States, or chastise her own savage subjects, waging war against a friendly nation, it was scarcely to be believed that her officers would have been detected in aiding and abetting the enemy; assisting with the intelligence of our movements, and purchasing the property depredated of us. America just to her treaties, and anxious to maintain peace with the world, cannot and will not permit such a savage war carried on in disguise any longer. Asylums have been granted to the persons and property of an Indian foe. (Fugitives from the territory of the United States.) Facilities deemed by me, necessary to terminate a war, which under existing treaties, should have been maintained by Spain, for feeding my troops, and liberating the subjects of Spain, imprisoned by the Indians, have all been denied by the officers of his Catholic majesty. All these facts prove the unjust conduct of Spanish agents in Florida. It cannot

be longer tolerated; and although a republic, fond of peace, the United States know her rights, and, at the expense of war, will maintain them.

[Signed] ANDREW JACKSON,

Major general commanding.

Don Jose Massot,
Governor of Pensacola.

(Translated copy.)

Most Excellent Sir,

On the 24th of the present month, captain Amelung, of the first United States' regiment, put into my hands your excellency's letter, dated at Washington, Mississippi territory, on the 23d of April last; in which, after apprizing me that your government had given it in charge to you, to inform me that the Fort of the negroes erected during the last war with Great Britain, near the junction of the Chattahouche and Flint rivers, had been reinforced, and was now occupied by more than two hundred and fifty negroes, many of whom were seduced from the service of their masters, (who are citizens of the United States,) and that all of them are well armed, provisioned, and disciplined. You make many wise reflections, with respect to the serious injuries which may result from tolerating such an establishment, not only to those in the immediate neighborhood of it, by disturbing the peace of the nation; but likewise to the good understanding which happily exists between our respective governments: you enter into an investigation, to show what the Spanish authorities ought to do, to put an end to an evil of so serious a nature, in the mode prescribed by those principles of good faith which are the foundation of friendly neighborhood among nations; you distinctly state what this government ought immediately to do, in failure of which your government will be obliged to do it, to ensure the safety of the inhabitants of the United States; and you conclude by requesting me to state in my answer to your letter, whether the said Fort had been constructed by the Spanish government; and whether the negroes who composed its garrison were deemed subjects of his Catholic majesty; and, if the Fort was not built by Spanish authority, to state by what authority, and by whose order it was built.

In answer to your excellency, I will state, (with veracity, which comports with the character of an honorable officer, in which class I rank myself,) that having arrived at this place nearly at the close of the month of March preceding, and being informed of what your excellency has communicated to me, (with this difference, that the Fort, instead of being where you place it, is to be found on the eastern bank of the Apalachicola, at about fifteen miles from its mouth or entrance into the sea) I lost no time in proposing to my captain general the measures which appeared to me proper, as well for securing the inhabitants of the country under my command from the damage, loss, and injuries which they have suffered, and still suffer, from this establishment, as to prevent the American citizens and the friendly Indians of the neighborhood from continuing to experience them. I have hitherto received no answer, and consequently your excellency (who knows how limited are the powers of a subordinated officer,) cannot be surprised that I should make known to you, that, although my mode of thinking exactly corresponds with yours, as to the dislodging of the negroes from the Fort; the occupying of it with Spanish troops, or destroying it; and delivering the negroes, who may be collected to their lawful owners; I shall not be able to act until I receive the orders of my captain general, and the assisstance necessary to enable me to undertake the enterprize, with a moral certainty of accomplishing the end. I am persuaded that the determination of the said chief cannot be long delayed; and, should it authorize me to act, your excellency may rest assured and persuaded that I will not lose an instant in adopting, on my part, the most efficacious measures, for cutting up by the root, an evil which is felt to the full extent stated in your letter, by the inhabitants of this province, who are subjects of my sovereign, and whose prosperity and tranquillity, it is my duty to preserve and protect.

With this explanation, your beforenamed letter may be considered fully answered, as it gives you to understand that, thinking as your excellency thinks, with respect to the necessity of destroying the negroes, the Fort of Apalachicola occupied by them was not constructed by order of the Spanish government; and that the negroes, although in part belonging to inhabitants of this province, and, as rational beings, may be subjects of the king my master, are deemed by me insurgents, or rebels against the authority not only of H. C. M., but also of the proprietors, from whose service they have withdrawn themselves; some seduced by the English colonel Edward Nicolls, major Woodbine, and their agents; and others, from their inclination to run off: But as your excellency manifests a particular desire, that, in case the fort was not erected by Spanish authority, I should state by what authority, and by whose order it was erected, I have no difficulty in satisfying your curiosity, by informing you that I have understood ever since my arrival at this place, that the said Fort and another, near the confluence of the Chattahouche and Flint rivers, (which, it appears, no longer exists,) were built by the order of the

beforenamed colonel Nicolls. I will not assure you that he did it under authority from his government, but I can say that he proceeded to place artillery, munitions, and provisions in it, by the arrangement of vice admiral Malcolm, and that, when colonel Nicolls and the troops of his detachment, after the conclusion of the expedition against Louisiana, withdrew from that point he left orders with the negroes, totally contrary to the incontestible right of sovereignty, which the king my master exercises, from the time of the 31° of north latitude, to the south. My predecessors in the government have given an account of all these actions to the authorities on whom they depended, that the satisfaction which the violation required, might be demanded, by those on whom this duty devolves.

I think I have answered your excellency's letter, satisfactorily, and, in terms which cannot leave a doubt of the sincerity of my intentions in favor of the common cause of the American and Spanish inhabitants; and that my present inaction does not proceed from a want of inclination.

I likewise flatter myself that, until my captain general decides, no steps will be taken by the government of the United States, or by your excellency, which may be prejudicial to the sovereignty of the king my master, in the district of Apalachicola, which is a dependency of this government: and finally, I conclude, by assuring your excellency that it will afford me particular satisfaction to have opportunities of evincing my desire, not only to contribute, so far as depends on me, to the cementing of the good understanding which subsists between our respective governments; but also, to prove to your excellency the high opinion I entertain of your virtues and military talents.

God preserve your excellency many years.

(Signed) MAURICIO DE ZUNIGA,

Pensacola, 26th May, 1816.

His excellency A. Jackson.

(Translated copy.)

Most Excellent Sir,

Being made to understand, although with the greatest difficulty, the contents of the letter with which your excellency honored me yesterday evening, delivered to me by your aid de camp James Gadsden, will declare to your excellency the satisfaction the know-

ledge of the result of your expedition against Mickasukey, has afforded me. That such would be the event could not be doubted, on considering the superior talents and skillful conduct of your excellency, and to these must be attributed the success, on which I tender you my most cordial congratulation.

My chief, the governor of Pensacola, had in truth, reason to mention to your captains, Gordon and Call, what your excellency states to me, and to entertain fears for the fate of this fort, menaced by Indians and negroes for some months past, and particularly since they have been disappointed in their expectations of obtaining powder and ball, which they have so repeatedly solicited, and to which they thought themselves entitled, from the practice which subsisted of supplying them annually therewith. This proves how entirely unfounded is the assertion of the wife of the chief Chenubbee, that the Indians have been supplied with munitions in the fort, since I was advised, and I determined to maintain the most perfect neutrality. No one can better remove from your excellency's mind any unfavorable opinion you may have formed on this subject, than the bearer William Hambly, as he has at various times interpreted to me the solicitations of the several Indian chiefs in my neighborhood, and he can also inform you of the advice I always gave them, to avoid the destruction which has overtaken them, and which I foresaw from the beginning.

This being realized, and there being now no motive to fear any insult to the fort, from these barbarians, and the negroes, I beg permission of your excellency to call your attention to the difficulty I should involve myself in with my government, if I were presently to assent to what your excellency proposes to me, to garrison this fort with the troops of the United States, without first receiving its orders. Such I will solicit immediately an opportunity offers, and I do not for a moment doubt, that they will be given to me, so zealous is my government to comply with the stipulations between her and the United States. In the interim I hope your excellency will desist from your intention, and be firmly persuaded of the good faith and harmony which will reign between this garrison and whatever troops you may think fit to leave in this vicinity, who may assist me in the defence of this fort, on any unforseen event.

The sick your excellency sent in, are lodged in the royal hospital, and I have afforded them every aid which circumstances admit. I hope your excellency will give me other opportunities of evincing the desire I have to satisfy you.

I trust your excellency will pardon my not answering you, as soon as requested, for reasons which have been given you, by your aid de camp. I do not accompany this with an English translation, as your excellency desires, because there is no one in the fort capable thereof; but the before named William Hambly proposes to translate it to your excellency, in the best manner he can.

May our Lord preserve your excellency many years; such is my prayer.

Most excellent sir,

I kiss your excellency's hands,

Your most obedient, and devoted servant,

[Signed] FRANCO. CASO Y LUENGO.

St. Marks, of Apalache, 7th April, 1818.

The most excellent Andrew Jackson,
general in chief of the troops
of the United States before
St. Marks.

(Translated copy.)

Apalache, 7th of April, 1818.

Most Excellent Sir,

I should insist on what I stated to your excellency in my letter of this morning, as to the necessity of awaiting orders from the governor of Pensacola, for the delivery of this fort under my command, were I not in addition to what your excellency says in your answer, threatened by your aid-de-camp, and the other officers appointed to negotiate on the subject; and had not so large a body of troops entered, without awaiting my permission, and taken possession of all the stores and posts, lowering the Spanish flag, and hoisting the American.

So manifest a violation of the terrritory of his Catholic majesty, obliges me to complain of it, and to protest against it; and I, accordingly, do protest against it, and beg of your excellency to provide me, as speedily as possible, the vessels necessary to transport me to Pensacola, together with the troops and those persons who are in royal employ; and, also to give orders, that in the interim the pri-

vate property and effects of every Spanish individual here, be respected. With respect to the public property of his Catholic majesty, I have nominated the subaltern officer of this detachment, and commissary of the fort, to make, with the three officers you named to me, an inventory thereof.

I repeat to your excellency my respects, and prayers to God, to preserve your life many years.

Most excellent Sir,

I kiss your excellency's hands.

Your most ob't and humble servant,

[Signed] **FRANCO. CASO Y LUENGO.**

The most excellent Andrew Jackson,
gen. of the troops of the U. States,
before St. Marks.

(Translated copy.)

Most Excellent Sir,

Your excellency's letter of the 25th of the last month, has been delivered to me, and also that of the 26th, in answer to mine of the 16th of February last.

I have the honor to advise your excellency of the receipt of both, and to answer the former.

In the month of May of the last year, from a spirit of conciliation, I permitted a cargo of provisions, which the schooner Alabitena had brought from New Orleans to this place, to pass up the Escambia to fort Crawford; influenced by the same sentiment, I made a similar concession to captain Call, assenting to the transporting of the cargo brought by the schooner Italiana, in January last, to the said destination; and, more lately, in continuance of the same amicable and conciliatory spirit, I consented that lieutenant Eddy, of the garrison of the before named fort, (commissioned by its commander, major Young, for the purpose,) should procure sixty barrels of provisions in this place, and the cargo of the schooner Italiana, (which is, or ought to be deposited here,) not being yet exported, I do not think the further introduction of provisions, which your excellency asks, at

present, necessary: but, nevertheless, as I infer from your excellency's letter, that these provisions are already on their passage, in pursuance of the sufferance hitherto accorded, and observing the restrictions and course established, that is, to consign them to a Spanish commercial house, who will take care to forward them, and pay the royal duties of import and export, I will allow the same destination to be given them as to the former, provided, that the government of the United States shall not set up, or derive any right, either now, or hereafter, from these purely gratuitous concessions, as I make them from the obligation of existing circumstances, which do not admit of supplying the garrison of the before named fort Crawford, by any other way.

In accordance with the declaration of your excellency, when you add that it is not your intention, to enter into a discussion with me, in relation to the right which the United States may claim to the free navigation of the Escambia, so neither is it mine, to discuss this subject with your excellency, as well, because it does not fall within my duties. as that, being a subordinate office, I am bound to obey the superior on whom I depend, it being my duty, until I receive instructions to the contrary, to be governed on this head, by the treaties existing between the United States and Spain; and in the last, of amity, limits, and navigation, I do not see the before named river mentioned; but the sovereignty of the king my master, over all the territories, rivers, coasts, posts, and harbors lying south of 31° north, solemnly and explicitly recognized by the United States; and if extraordinary existing circumstances should require any further temporary concessions, not explained in the said treaty, I request your excellency to have the goodness to apply in future, for the obtaining of them, to the proper authority, as I, for my part, possess no power whatever, in relation thereto.

May God preserve your excellency many years,

[Signed] JOSE MASOT.

Pensacola, 15th April, 1818.

His Excellency A. Jackson,
Major General, &c.

(Translated copy.)

Most Excellent Sir,

On the 10th instant, I received your excellency's letter of the 27th of April last, informing me that some articles of the clothing

used by the troops of the United States, and supposed to be part of those taken in the boat in which lieut. Scott and his escort were so inhumanly murdered, were found in a small schooner, despatched from this port for that of Apalache, with provisions.

Your excellency inquires of me, in what manner these articles came into my possession; and you further state that you feel yourself obliged to inform me, that the documents and the proofs found in St. Juan; the detention of American cattle, found in St. Marks; and the correspondence carried on between this post and the hostile Indians, are sufficient to create a belief, that they were armed and incited to thi scruel war against the United States, by the Spanish officers.

Your excellency adds, that there exist positive proofs, that the Indians were supplied with munitions by the last commander of St. Marks; and you conclude by saying, that an asylum has been granted here to the persons and property of the Indians, who are enemies of the United States, and fugitives from the American territory; and that these proceedings, and the refusing to allow the passage of provisions for your troops, prove the unjust conduct of the Spanish agents in the Floridas.

I shall answer the charges alleged, in their proper order, with candor, and without evasion or reservation.

The first complaint made by your excellency, is, relative to the articles of clothing found on board the schooner Maria, and which have been detained, on the supposition, that they are the property of the United States.

Part of these articles, as is proved by copy No. 1, were purchased at New Orleans, in the month of May, last year; part came from the Havannah; and part were purchased in this place. All this is established. The charge is, of course, done away; and your excellency's question is satisfactorily answered.

The succeeding one is more serious, and relates to the course observed, of late, by the governor of St. Marks.

I immediately required of him an account of his conduct, and he made me the communication found in copy No. 2. However, as your excellency affirms that you possess positive proofs of the misconduct of this officer, I must, as a necessary consequence, intreat you to submit them to me, that the fact being established, I may inflict on him deserved punishment. I assure your excellency, with the sincerity natural to me, that he has acted in entire opposition to his instructions, and that, if your excellency will transmit me the proofs I request, he shall be brought before a council of war, and punished with all the severity his transgressions deserve; but your excellency will be just enough to allow, that the Spanish government cannot be responsible for the misconduct of its agents, when it neither upholds them therein, nor suffers their mal-practices, being ascertained, to pass unpunished.

The last complaints of your excellency have a personal and direct application to my myself, and are, relative to the asylum granted

to the persons and property of the fugitive Indians, and to the passage of provisions up the Escambia.

It is easy for me to remove these charges, and, I think, your excellency will be satisfied with a short and true relation of facts.

With respect to the Indians, your excellency has assuredly been misinformed, as, although it is true, that some remained here, the greater part of them were women and children, who procured a subsistence by furnishing the inhabitants with wood, fish, and other trifling objects, and were here before the present war with the Seminoles. Others, now and then, assembled on account of the war, but in very small numbers; as, when I had them collected, in compliance with the proposition made by major Young, they, all together, amounted to eighty-seven, and, assuredly, these few unarmed and miserable men were not hostile to the United States. The continual passing of American citizens from the frontier to this people, who travelled alone and unarmed among them, without being, at any time, insulted or molested in their persons or property, is a proof of this.

With respect to the passage of provisions up the Escambia, I have not hitherto prevented it; but, on the contrary, have facilitated it, so far as I was able, and my limited powers have permitted, even to the conpromitting of myself; for, being only a subordinate officer, I could not consent to it, as it is unauthorized; but I took the responsibility on myself, in consideration of existing circumstances; and so I stated to your excellency, in my letter of the 15th last month, which I wrote to you by major Perrault, and to which I refer you, in support of my assertion. Now, that the free commerce of this people with those of the interior, is declared admissible by higher authority, there will, in future, be no difficulty in allowing the merchants to transport from hence to fort Crawford, and other forts on the frontier, as well by water as by land, whatever provisions and effects they may need or desire; by which means, these posts will readily be provisioned, and your excellency will be satisfied.

I think I have answered your excellency's letter satisfactorily, and in a manner which can leave no doubt of the sincerity of my intentions, and which evinces my desire to contribute, so far as depends on me, to the good understanding existing between our respective governments.

God preserve your excellency many years.

[Signed] JOSE MASOT.

Pensacola, 18*th May*, 1818.

His Excellency Andrew Jackson,
Major Gen. of the army of the U. States.

No. 1.

(Translated copy.)

Being informed of what, amongst other subjects, major general Andrew Jackson, of the United States troops, states to you, in his letter of the 27th April last, and communicated to me, in yours of the 13th instant, in which you direct me to explain to you of what description the articles were, referred to by the said general, and by whom the coats worn by the men belonging to the grey and brown companies, (de pardos y Morenos) from the Havanna, under my command, were sold or brought to this place, they being the same uniform as that worn by the troops of the United States, I have to inform you in reply, that the articles of clothing shipped on board the schooner Maria, for the supply of a detachment from the aforesaid companies at Apalache, and detained by general Jackson, consisted of fifteen 4 point woollen blankets, brought here in his majesty's hermaphrodite brig El Amirante, which arrived at this port, on the 2d of January last; twenty-five pair of French shoes, bought here of Don Henrique Grandpre, as is shown by voucher No. 1 annexed; fifteen common black hats, bought of Don Henrique Michelet, as is proven by voucher No. 2; and twenty shirts of crea-linen, and the same number of pantaloons, received by the above named hermaphrodite armed brig, with the exception of three or four of the latter article, which were made in North America, for the use of their troops, and came into my possession in the manner I shall explain to you; all which clothing I requested you, in mine of the 7th of April last, to report to the department of royal finance, that they might be regularly entered in the clearance on account, and at the risk of the same. By voucher No. 3 annexed, you will perceive, that on the 1st and 4th of May, and 29th of July last, there were shipped to me, from New Orleans, by Don Pedro Dalharte y Claveria, merchant, and citizen of the United States, the hundred and thirty one coats of the uniform altered there, as is stated in his letter of advice; also twenty-eight pair of shoes; one hundred and eighteen shirts; seventy-six pair of pantaloons; two hundred and thirty-six woollen waistcoats, without sleeves; twenty Russia jackets; two hundred and fifty-three leathern caps, for the use of the chasseurs; and a quantity of leathern gaiters and stocks; which articles were purchased from the military store keeper, at New Orleans, and brought here in the schooners Maria and Jalouse, under the charge of their masters, Bartelame Alberty, and Jose Medina, who included them in the manifests they presented to the custom house here, and the duties on them were paid, as appears from the estimate of them made by the department, on the 19th of May, and the 11th of August last.

It follows from this statement, that the conjecture formed by general Jackson, that the articles of clothing detained by him, were part of those taken from the escort of lieut. Scott, at the time he was

killed, within the territory of the republic, is deprived of all foundation; as the unfortunate fate of that officer and his escort, happened on the Apalachichola, in December last, and the articles of clothing alluded to, were purchased in New-Oleans, in May and July of the same year, as is proved by the letters of advice and invoices comprised in voucher No. 3, to which I have referred. God preserve you many years.

[Signed] BENIGNO GARCIA CALDERON.

Pensacola, 18*th May*, 1818.

To Don Jose Masot.

No. 1.

I hereby certify, that on the 10th of February last, I sold to captain Don Benigno Garcia Calderon, commanding the grey and brown companies from Havanna, two hundred and eighteen pair of French shoes, iron shod, for the use of the men belonging to the said companies; and, at the request of the said officer, I give him the present certificate, at Pensacola, this 18th day of May, 1818.

HENRIQUE DE GRANDPRE.

No. 2.

I hereby certify, that on the 12th of February last, I sold to capt. Don Benigno Garcia Calderon, commanding the grey and brown companies from the Havanna, nine dozen round black hats, for the use of the men belonging to the said companies; and at the request of the said officer, I give him the present certificate, at Pensacola, this 18th day of May, 1818.

[Signed] HENRIQUE MICHELET.

No. 3.

To Don Benigno Garcia Calderon, Pensacola.

New Orleans, 30th April, 1817.

Annexed, you have an account of cost and charges of fifty-four shirts, and twenty-eighf pair of shoes, for amount whereof you are debited in account, fifty-three dollars. Although I had no orders from you for the shirts, I was induced to purchase them by the low price, and the probability of your employing them to advantage. In the sack which contains them, you will find a uniform coat, altered here, and which can be obtained of the store keeper at twelve rials, I think this would answer. There are about a hundred and twenty of them. I am offered by the same storekeeper, fifty field tents, nearly new, at three dollars, and a parcel of strong leathern caps, such as are worn by the chasseurs, and which he will sell at less than two rials; of these there are about two hundred. The storekeeper having made me a second offer of the coats, I proposed to take them in barter for coffee, at eighteen and a half. At ten rials, I am persuaded it would be a good bargain, and would afford an opportunity of putting off the coffee, the low quality of which makes it a dull sale. The only quality asked for, and which sells with great difficulty, at twenty dollars, is the very superior green coffee. I enclose the account of the cost and charges of the said coats, which you will receive by the schooner Maria, and whose amount is charged to your debit in account current, viz: $ 176 13

Account of costs and charges of the following articles, shipped on board the schooner Maria, captain Elberty, bound to Pensacola, on account, and at the risk of, and to be delivered to Don Benigno Garcia Calderon.

C. No. 1.	1 sack containing 28 pair shoes at 6 rials -	21	
No. 2.	1 sack containing 54 shirts, at 4 rials - -	27	
	1 coat - - - - - - -	1	50
	Sacks, sewing, and transportation - -	1	
		50	50
	Commission at 5 per cent - - -	2	50
	Amout to the debit of Dn. B. G. Calderon - -	$53	

[Signed] PEDRO DALHASTE Y CLAVERIA.

New Orleans, 1st May, 1817.

Account of the cost and charges of ten sacks, containing one hundred and thirty-one coats, shipped on board the schooner Maria, captain Granpera, on account and at the risk of Don Benigno Gracia Calderon, at Pensacola, and to be delivered to him there, viz:

C. No. 3 a 12—10 sacks containing 131 coats at 10 rials - - - - - - - -	163 75
Sacks, sewing, and transportation - - -	4
	167 75
Commission at 5 per cent. - - -	8 38
Amount to the debit of Dn. B. G. Calderon -	$176 13

[Signed] PEDRO DALHASTE Y CLAVERIA.

New Orleans, 29th May, 1817.

To Benigno Garcia Calderon, Pensacola.

New Orleans, 29th July, 1817.

On the receipt of yours, the caps were already agreed for, with some other articles of clothing, amounting as per invoice annexed, to $317 16 1-4, and which is charged to you, in account. I have suspended the purchase of the hats, which ran at from eight to ten dollars, until further orders.

Account of cost and charges of the following articles, shipped in two hogsheads, three barrels, two cases, and one sack, on board the schooner Jalouse, Jose Medina, master, bound to Pensacola, on account and at the risk of Don Benigno Garcia Calderon, and to be delivered to him or his order, viz.

25 pair cotton pantaloons, at	50 rs. - -	12 50
236 flannel waistcoats at	372 - - -	88 50
253 caps at - - -	18 3-4 - -	47 43 3-4
A parcel of leather gaiters and (coyars.)	- - -	15
20 Russia vests or jackets 51 pair pantaloons - 35 cotton shirts - -	} 106 at $1 -	106
29 cotton shirts at -	75	21 37 1-4
Cooperage and transportation	- - - -	3 50
		302 06 1-4
Commission at 5 per cent.	- - - -	15 10
Amount to the debit of Dn. B. G. Calderon	-	$ 317 16 1-4

[Signed] PEDRO DALHASTE Y CLAVERIA.

New Orleans, 29th July, 1817.

We, the undersigned, merchants of this place, hereby certify, that the foregoing copies or paragraphs of letters of advice and of invoice, are perfectly conformable to the original exhibited to us by captain Don Benigno Garcia Calderon, commanding the grey and brown companies from Havanna; and that the signatures thereto subscribed are in the genuine hand writing of Don Pedro Dalhaste y Claveria, a citizen of the United States and merchants at New Orleans. In testimony whereof, we give the present certificate, at the desire and request of the aforesaid captain Calderon, at Pensacola, this 18th day of May, 1818.

[Signed] HENRIQUE MICHELET,
VINCENTE DE ORDOSGOITTE,
BTE. BATLONGUE.

A true copy.

[Signed] JOSE MASOT.

No. 2.

(Translated copy.)

Instructed by your letter of yesterday of the points treated of by major general Jackson, in his letter of the 27th ultimo, and on which he founds his positive assertions, that the Indians not only received succours at Apalache, but that they were excited to commit their outrages against them, [the United States] were advised of his movements, &c.; I have, in answer to express the astonishment this affair has caused me, and which has solely arisen from the imposture employed by some malicous person, to asperse the parties criminated by the letter of the said general. His excellency states, that from the papers and other proofs taken at St. Johns; the detention of American cattle found at St. Marks, and purchased of the commissary there; and the intercourse carried on between that place and the hostile Indians, it is evident, that they were inspirited and excited to this cruel war, by the Spaniards. To this, I have to reply, that it has never come to my knowledge, that any person belonging to the fort, had any intercourse directly, or indirectly, with St. Johns; and although I wrote two letters to Mr. Arbourknot, an English merchant, one of them was merely to thank him for the three copies (exemplares) he sent me from thence, or Savannah, and for the information he gave me of the intention of the insurgents at Amelia Island, and

of captain Woodbine, who I informed you by express, was one of the two chiefs hung on the day I left Apalache, or on the preceding one; and the other was to request him to come, or send as speedily as possible, for the effects which, at the request of the Indian chiefs, and to avoid increasing their suspicions, I permitted to be deposited in the fort, on the departure of O'Kelagne, who had them in charge; and although by this step, I ran some risk from the state of excitement of both parties, it was one which does not appear to me, to give any just ground for suspicion. Nor does the finding of American cattle, which his excellency states he purchased at St. Marks, afford greater cause for suspicion, as it is notorious that from the time of its establishment, its supplies were obtained from the droves of cattle brought there for sale by the Indians; and that they had many, is shown from those found in Michasukey and its vicinity. Purchases were only occasionally made, because we considered ourselves sufficiently supplied for some months; and if the cattle were stolen from the Americans, the sellers took good care to conceal that fact, and were all of them known to have droves, and were in the habit of bringing them for sale; and very seldom was it, that the American commandant or magistrate, within whose district these excesses were committed, was known to complain of them to the commandant at St. Marks, and send him the marks of the cattle, that it might be seen from whence they came, and the purchase of them be avoided. Nor does the intercourse between the fort and the Indians, complained of by general Jackson, afford any better evidence of what he asserts, that from this, it is inferrible, that they were inspirited and excited to this cruel war by the Spaniards. Such intercourse and good understanding were at all times recommended by the government, and never more necessary, than in the circumstances in which we were placed in the fort; and on this, amongst other reasons, general Jackson in his first letter founded his demand, that it should be occupied by his troops; and added, that on this account, such a course could not fail to be approved by his Catholic majesty. In the same letter he stated to me, that he had been informed by an Indian woman, a prisoner, that the Indians and negroes had received large supplies of munitions from the fort. I thought that I had convinced him of the contrary in my answer, in which I represented to him, that no one could better remove from his mind any unfavorable impressions on this point, than the bearer of it, Mr. William Hambly, who, during his stay here, repeatedly interpreted to me the anxiety of the chiefs to obtain such supplies, and that he could also inform him that I uniformly counselled them to avoid the destruction which has overtaken them, and which I foresaw from the first. But as it appears he is not yet satisfied, and persists in his charge, a reference to the returns of the public storekeeper, will show that from the month of May last, and prior to the receipt of your orders, there had been issued to some chiefs and head men, and that merely from motives of

policy, only three pounds of powder, three pounds of balls, and fourteen flints; and the interpreter belonging to the fort, Juan Sandoval, and his son Francisco, through whom I communicated with the Indians, can also testify to the truth of this statement; whose evidence I request of you to have taken, in refutation of general Jackson's charge against me. He cannot but know that, a short time before the negro fort on the Apalachicola was blown up, all the chiefs of the tribes in its immediate vicinity, went there and supplied themselves with powder and ball, left for them by the English; and that at Mickasukey, and the houses in the neighborhood, there was a great quantity. Having thus obtained so large a supply of the kind of powder and ball they most esteemed, what value could they set on ours? Which they, in fact, view with such indifference and contempt, that only those hunters of whom, now and then, one comes to the fort to supply us with venison, geese, &c. will use it; and although, as I stated in my communication to you, some was repeatedly requested of me by the chief, Kinache, for the purpose of showing, by the refusal of it, that the American interest prevailed in the fort, he did not obtain it; in consequence of which, we were considered as American partisans to the last, were reproached with it, and had even to put up with some impertinences from them. I shall, however, in strict adherence to truth, and because the circumstance may have given rise to these suspicions, state, that the chief Pelis Acho, who was hung, received, among other things at the fort, from Mr. Abourknot, an English merchant, when he came from Savannah to request aid against the negroes from him, on account of their molestation, a small barrel of powder, which might contain from twenty to twenty-five pounds, and which was kept with the other effects brought from O'Kelagne's, and which he had in charge. What he did with it, I know not, but I well know that the chief occasioned me much fear and anxiety, by being so near the fort with four or five hundred Indians of his party.

I never had an idea that he employed it against the Americans, but supposed that he used it in the purchase of peltry for the said Abourknot, which was his avowed object, and in which he was engaged, on the arrival of the Americans. The idea that the officers at St. Marks lent themselves to aid and excite the Indians, by giving them information of the movements of the Americans, is highly ridiculous; for how, or from whence, could their movements be better known at the fort, than from the Indians themselves? Thither they passed, and from thence repassed incessantly, and their reports were so various that they deserved very little attention; as a proof of which, nothing certain was known of the operations of the Americans, until the different columns of their troops appeared, at the mouth of the Pinor; and although their three vessels were at anchor there for three or four days previous, they kept English colors flying until the day before the arrival of the army. My different communications to

you, are pledges that I took no part in the contest between the Americans and the Indians; nevertheless, my mistrust of the latter evinced to which I gave a preference. How then is it possible to believe that I gave them the aid of which general Jackson complains, or how can such aid be reconciled with the tenor of my letter, and the steps I took to liberate Messrs. Edmund Doyle, and William Hambly, by which I exposed myself and my garrison, to the vengance of the Indians? Or lastly, with the fact of my having ransomed, at a most critical moment, an American soldier, whom they declared to me they would otherwise put to death? I leave it to the most impartial to decide, if these be not proofs of the existence at St. Marks, of a bias in favor of the American interest; and of this I am persuaded, general Jackson will be convinced, on deliberately reflecting on the subject. I shall not deny that I have observed towards those barbarians a policy which had the appearance of a warm friendship, and by which I have incurred considerable expenses. If, however, all the circumstances attendant on my situation be duly weighed, it will be seen that all this was necessary, to restrain them from doing what they had at one time premeditated, on the pretexts I have just alluded to, and on others suggested to them by some persons, who had gone from hence to those parts of the country. Although I have, as I conceive, given satisfaction, on all the points embraced by major general Jackson, in his letter, I beg leave to request that, for fuller evidence of what I allege, you will be pleased to give orders for having the testimony taken of the interpreter and his son, of the subaltern, Don Miguel Ordonez, of Don Anastasio Montes de Oca, the military store keeper, and of surgeon Don Diego de Barrias, as these persons have some knowledge of the subjects in question.

God preserve you many years.

[Signed] FRANCO. CASO Y LUENGO.

Pensacola, 14th May, 1818.

To Don Jose Masot.

A true copy,

[Signed] JOSE MASOT.

Head Quarters, Division of the South,
Adjutant General's Office, Fort Gadsden,
Appalachicola River, 3d May, 1818.

SIR,

I have the honor to report that the army under the immediate command of major general Andrew Jackson, took up the line of

march on the 26th day of March last with eight days rations, and lay in advance of this post about six miles. On the 29th at 11 o'clock A. M. reached Ocklockany river, when nineteen canoes were made, and the principal part of the army crossed by 8 o'clock P. M. the residue early next morning, when the march was again resumed at 11 o'clock A. M. On this evening, brevet major Twiggs, of the 7th infantry, was detached with one company and about two hundred warriors with orders to advance on an Indian village called Tallahasse, and surprise it at day break; on his near approach he despatched a party to ascertain its situation, who reported it evacuated some days before. On the morning of the 31st he entered the village having previously sent out parties to reconnoitre: two of the enemy were made prisoners, one of which made his escape from the Indians before he was brought into camp. The army passed the village about 12 o'clock and encamped near Mickasuky, when intelligence was received of the approach of a detachment of mounted volunteers from Tennessee, under the command of lieutenant colonel Elliott, near four hundred strong. On the morning of the first of April, the army formed and halted until their arrival, when they were ordered to form the advance of each flank, with captains Russell and Evan's companies in front, as spies, with captain John Gordon. The army now advanced within one and an half miles of Kinghajah's town, where a number of Indians were discovered herding cattle in the margin of a large pond. The general ordered the right and left columns to advance, with a view of cutting off their retreat, at the same time instructed the advance light company, under major Muhlenberg, the guard under major Nicks, together with the small companies composing his life guard, under captains Dunlap and Crittenden, to advance in support of the spies, in the event of a general engagement. The spy companies commenced the attack, and a brisk running fire was kept up on both sides for some minutes, when the enemy divided, the spy companies pursuing those on the right, and lieutenant colonel Elliott, having turned their flank, became generally engaged, and bore them over to the left column, under the command of lieut. col. Mitchell, within half gun shot of each other, when they were assailed by both flanks and would all have fallen, had not the volunteers taken up the impression (from the similarity of dress) that some of the friendly warriors had reached in pursuit of the enemy, which occasioned the firing to cease for a short time, when a number made good their retreat into the swamp. Captain Crittenden's company being on horse back was unable to reach the head of lieutenant colonel Elliot's column, when they dismounted and operated against the enemy. Major Muhlenberg's company, the advance guard, and captain Dunlap's company being on foot, was not able to reach the scene of action in time. The right column of Georgia militia, on nearing the pond filed round it, and colonel King, with his regiment, was ordered to advance through it to support the column of horse should it be found necessary, which was executed by the colonel with great

promptness. The conduct of the officers and soldiers engaged on this occasion was in every respect praiseworthy. Our loss, one man of captain Andrew's company killed, and four of captain Evan's company of Tennessee volunteers wounded; the reports give fourteen killed and several wounded of the enemy, and four women prisoners, from whom we learned that three hundred warriors had advanced from the town to aid those engaged, and on seeing the advance of an army, fled precipitately. The army now advanced upon the town, (which was found deserted by the enemy) and on reaching the *square* discovered a red pole planted at the council house, on which was suspended about fifty fresh scalps, taken from the heads of extreme age, down to the tender infant of both sexes; and in an adjacent house, near three hundred men, which bore the appearance of having been the barbarous trophies of settled hostility for three or four years past.

The army continued the pursuit to a large pond of water, which is eight miles in length, varying in width from six hundred to four thousand yards, and from two to five feet deep, through which the army passed, when the approach of night induced the cammanding general to draw off his troops. On the succeeding morning B. M. general E. P. Gaines, with a large command, was ordered to pass the lake or pond and attack the other towns, but which he found abandoned by the enemy; the red pole was again found planted in the square of Fowl town, barbarously deserted with human scalps of both sexes, taken within the last six months from the heads of our unfortunate citizens. General M'Intosh, who was with general Gaines, routed a small party of savages near Fowl town, killed one negro, and took three prisoners, on one of whom was found the coat of James Champion, of captain Cumming's company, 4th infantry, who was killed by the Indians on board of one of our boats descending the river to the relief of major Muhlenberg; this coat, together with nearly all captain Cumming's company clothing, was lost on board lieutenant Scott's boat, when he and his party were massacred on the 30th November last. The pocket book of Mr. Thomas Leigh (who was murdered at Cedar creek, on the 21st January last) was found in Kinghajoh's town, containing several letters addressed to the deceased, and one for general Glascock. About one thousand head of cattle fell into our hands, many of which were recognized by the Georgia militia, as the brands and marks of their citizens: near two thousand bushels of corn was found with other articles useful to the army.—Upwards of three hundred houses were consumed, leaving a tract of fertile country in ruin where these wretches might have lived in plenty, but for the infernal machinations of *foreign traders*, if not *agents*. The army remained at the point until the morning of the 5th, when the march was resumed for St. Marks, before which it arrived on the evening of the 6th, and after communicating with the commanding officer, took possession of that fortress. On the following morning, captain M'Iver of the navy, having sailed for St. Marks, with some vessels containing supplies for the army, was fortunate enough to entice on board his vessel in the river, Françis or Hillisha-

jo and Homothlamicco, hostile chiefs of the Creek nation, and whose settled hostility have been severely felt by our citizens. The commanding general had them brought on shore and ordered them to be hung as an example to deter others from exciting those deluded wretches to future scenes of butchery. A man of the name of A. Arbuthnot was also taken on the arrival of the army, and placed in close confinement.

The troops having again received eight days rations, and a garrison detached for fort St. Marks, the army moved on the 9th of April, destined for Suwany. On the morning of the 12th, the officer of the day reported that the centinels had heard the lowing of cattle and barking of dogs, during the night, from which the general was induced to send a runner to general M'Intosh, who encamped a short distance in rear of the army, with instructions to have the country below examined, in the mean time the army moved slowly in advance. General M'Intosh despatched major Kanard, with a party, who returned to him a runner, reporting the discovery of a hostile party, too strong for his little band of warriors. M'Intosh moved against them with his whole force. A small detachment of different companies of the Tennessee volunteers, under colonels Dyer and Williamson (they having joined the army on the evening of the 10th) were left at our encampment to search for horses, and on hearing the report of major Kanard, formed themselves into a company under captain Bell, who was with them, and moved to attack the enemy, whom they found near a large swamp endeavoring to move off. A spirited engagement ensued which resulted in the death of thirty-seven, and six men and ninety-eight women and children prisoners; and our loss, three killed and four wounded, of the friendly Indians. The only woman out of seven whose life was spared at the massacre of lieutenant Scott, was here recaptured by major Kanard. General M'Intosh individually killed three of the enemy, and captured one. The little band of Tennessee volunteers acted on this occasion as becomes their character. At the commencement of the action, the army was halted and a runner despatched to inform general M'Intosh that any aid he might deem necessary would be afforded, and that the army would remain until his arrival; which was not until we encamped for the night. The enemy abandoned a number of horses, hogs, corn, and about 600 head of cattle.

The army moved on the morning of the 13th, and on the succeeding day, our spies surprised a camp, consisting of two men, a woman, and two children, one of the men was killed, the other with a small boy slightly wounded, and the woman unfortunately not being distinguished in the swamp, received a wound of which she died.

At 3 o'clock, P. M. on the 16th, the army arrived at a large pond, within six miles of Bow Leg's town, on Suwany river, were a few Indians, well mounted, discovered our advance; an attempt was made to overtake them, but the enfeebled state of our horses rendered it impracticable: under these ciccumstances the general deemed

it advisable to make the town by a forced march, not allowing the enemy time to cross the river, and destroy their supplies. The manner of attack having been previously arranged; the army moved rapidly until arriving near the large which flanks the town, when the troops changed position conformably to previous orders, and moved forward. The left flank composed of colonel Williamson's regiment of Tennessee volunteers. at the head of which a force of Indian warriors under (now colonel) Kanard, soon came in contact, and warmly engaged the Indians and negroes, whilst the right flank, composed of colonel Dyer's regiment of Tennessee volunteers, with a like force of warriors under general M'Intosh, advanced near the river to prevent the enemy from crossing. The centre advanced in excellent order, and under the expectations of having to combat with the strength of these towns and the fugitives from Mickasuky, but on reaching Bow Leg's town, found it abandoned. The left flank, from the nature of the ground they had to traverse, and colonel Kanard not adhering entirely to the route designated, drove the Indians and negroes (about 300) into the river, before the right flank could occupy the desired position. The reports give eleven killed and three prisoners on the field, and it is believed many were killed and drowned in swimming the river, it being nearly 300 yards wide. Col. Kanard had 13 wounded; but one dangerously. About twenty-seven hundred bushels of corn was obtained in the towns and neighboring swamps, near 90 head of cattle, and a number of horses.

Our centinels on the night of the 17th, took prisoners two white men (Armbrester and Cook) and one negro, who had just returned from Arbuthnot's vessel, at the mouth of Suwany. From the latter we obtained a letter written by A. Arbuthnot to his son, in which he enumerates the army of the United States under the general's command, and requires him to inform his friend Bow Leg's, that resistance would be fruitless against such an overwhelming force, and to make over the river with all despatch; admonishing his son, at the same time, to remove and secrete every thing which could be moved. From Cook we learned that this letter was read to the negroes and Indians, when they immediately commenced crossing their families, and had just finished as we entered the towns—upwards of three hundred houses were here consumed, the most of which were well built and somewhat regular, extending near three miles up the river. On the morning of the 18th, general Gaines was ordered with a select command, and a number of warriors under general M'Intosh, to cross the Suwany river in pursuit of the enemy; but found, on advancing about six miles, that they had dispersed in every direction from the numerous trails, and too far advanced to overtake them; his command being short of supplies. A detachment of warriors having advanced some distance fell in with a small party of the enemy, killed three warriors, took some women and children and five negroes. On the same morning lieutenant James Gadsden, aid-de camp to the commanding general, descended the Suwany river to its mouth, with

captain Dunlap's and a few of captain Crittenden's companies of the life guards, and a small detachment of regulars, and captured, without difficulty, the schooner of A. Arbuthnot, which had brought supplies of powder and lead to the Indians and negroes settled at Suwany. This vessel afforded the means of transporting our sick back to St. Marks.

On the evening of the 20th, general Glasscock was ordered (at his request) to march his brigade by Mickasuky to Hartford, Georgia, and captain Bell ordered to muster them out of service; and the army moved its encampment about three-quarters of a mile, preparatory to its return. On the 24th, general M'Intosh was ordered to proceed direct to Fort Scott, on Flint river, and an order furnished him to the commanding officer, to muster his warriors out of service. The army reached fort St. Marks on the 25th, having marched twenty-eight miles on that day: and we were agreeably surprised in finding lieutenant Gadsden had arrived safely that evening from the mouth of Suwany. On the 26th, a special court was ordered for the trial of A. Arbuthnot, and Robert C. Ambrister, which court, on the documents and evidence adduced, sentenced the first to be hung, and the latter to be shot. They were accordingly executed on the morning of the 29th. The army moved and encamped four miles from St. Mark's on the evening of the 28th, and arrived at fort Gadsden on the 2d inst.—the general having previously detached a garrison of two hundred men under the command of brevet major Fanning to occupy fort St. Marks. I have only to add, that this army has borne hardships and privations to a great extent, in a manner becoming soldiers and citizens of a nation proud of their liberties.

The assistant topographical engineer will furnish a topographical report of the country through which the army operated, and I refer you to the enclosed sketches for information of our order of movement, and have the honour to be

Very respectfully,

Your most obedient servant,

[Signed] **ROBERT BUTLER,**

Adjutant General.

Brigadier General Daniel Parker,
Adj't and Insp'r General.

Head Quarters, Division of the South,
Fort Montgomery. June 2d, 1818.

SIR,

In a communication to you of the 5th of May, I detailed at length the operations of my army up to that period. Leaving a

strong garrison of regulars in forts Scott and Gadsden, I resumed my march with a small detachment of the 4th regiment of infantry, one company of artillery, and the effectives of the Tennessee volunteers, the whole not exceeding twelve hundred men, to fulfil my intentions communicated to you, of scouring the country west of the Appalachicola river.

On the 10th of May, my army crossed that river at the Ocheese village, and after a fatigueing, tedious, and circuitous march of twelve days, mislead by the ignorance of our pilots. and exposed to the severest privations, we finally reached and effected a passage over the Escambia. On my march on the 23d May, a protest from the governor of Pensacola, was delivered to me by a Spanish officer, remonstrating in warm terms against my proceedings, and ordering me and my forces instantly to quit the territory of his Catholic majesty, with a threat to apply force in the event of a noncompliance. This was so open an indication of a hostile feeling on his part, after having been early and well advised of the object of my operations, that I hesitated no longer on the measures to be adopted. I marched for, and entered, Pensacola, with only the show of resistance, on the 24th of May. The governor had previously fled to fort Carlos de Barrancas, where it was said he resolved upon a most desperate resistance. A correspondence ensued between us, accompanying this, marked A, detailing my motives for wishing and demanding that Pensacola and all its dependencies be occupied with an American garrison. The package marked B, are documents substantiating the charges in part against the conduct of the Spanish governor, having knowingly and willingly admitted the savages, avowedly hostile to the United States, within the town of Pensacola. The peaceable surrender of the fort at the Barrancas was denied; I marched for, and invested it on the evening of the 25th of may, and on the same night pushed reconnoitering parties under its very guns. On the morning of the 26th, a military reconnoisance was taken, and on the same night a lodgement was made under a fire from the Spanish garrison, by captain Gadsden, of the engineers, aided by captains Call and Young, on a commanding position, within three hundred and eighty five yards of the Spanish works, and a nine pounder mounted; a howitzer battery was simultaneously established on the capital of, and within seven hundred and fifty yards of the fort. At day light on the 27th, the Spanish garrison opened their artillery on our batteries; a parley was sounded; a flag sent in; and the surrender of the fort Carlos de Barrancas again demanded: the favorable positions obtained, were pointed out, and the inutility of resistance urged.

Anxious to avoid an open contest, and to save the effusion of blood, the same terms previously offered, were again tendered. These were rejected, and offensive operations recommenced. A spirited and well directed fire was kept up the greater part of the morning, and at intervals during the afternoon. In the evening a

flag was sent from the Spanish commandant, offering to capitulate, and a suspension of hostilities was granted until 8 o'clock the next day, when the enclosed articles of capitulation, marked C, were signed and agreed to.

The terms are more favorable than a conquered enemy would have merited; but under the peculiar circumstances of the case, my object obtained, there was no motive for wounding the feelings of those whose military pride or honor had prompted to the resistance made. The articles, with but one condition, amount to a complete cession to the United States, of that portion of the Floridas, hitherto under the government of Don Jose Massot. The arrangements which I have made to secure Pensacola and its dependencies, are contained in the general orders, &c. marked D. I deemed it most advisable to retain for the present, the same government to which the people had been accustomed, until such time as the executive of the United States may order otherwise.

It was necessary, however, to establish revenue laws of the United States, to check the smuggling which has been carried on successfully in this quarter for many years past, and admit the American merchant to an equal participation in a trade, which would have been denied under the partial operation of the Spanish commercial code. Captain Gadsden was appointed by me collector, and he has organized and left the department in the charge of officers, in whom the greatest confidence may be reposed.

Though the Seminole Indians have been scattered, and literally so driven and reduced, and no longer to be viewed as a formidable enemy, yet, as there are still many small marauding parties, supposed to be concealed in the swamps of Perdido, Choctawhatchy, and Chapouly, who might make occasional and sudden inroads on our frontier settlers, massacreing women and children, I have deemed it advisable to call into service, for six months, if not sooner discharged, two companies of volunteer rangers, under captains M'Girt and Boyles, with instructions to scour the country between the Mobile and Appalachicola rivers, exterminating every hostile party who dare resist, and will not surrender, and remove with their families above the 31st degree of latitude. The Seminole war may now be considered at a close; tranquillity again restored to the southern frontier of the United States; and as long as a cordon of military posts is maintained along the Gulph of Mexico, America has nothing to apprehend from either foreign or Indian hostilities. Indeed, sir, to attempt to fortify or protect an imaginary line, or to suppose that a frontier on the 31st degree of latitude, in a wilderness, can be secured by a cordon of military posts, whilst the Spanish authorities were not maintained in the Floridas, and that country lay open to the use and excitement of any enemy, is visionary in the extreme.

On the immutable principle, therefore, of self defence, authorized by the law of nature and of nations, have I bottomed all my opera-

tions, on the fact that the Spanish officers had aided and abetted the Indian enemy, and thereby became a party in hostilities against us, do I justify my occupying the Spanish fortresses? Spain had disregarded the treaties existing with the American government, or had not power to enforce them. The Indian tribes within her territory, and which she was bound to keep at peace, had visited our citizens with all the horrors of savage war. Negro brigands were establishing themselves, when and where they pleased; and foreign agents were openly and knowingly practising their intrigues in this neutral territory. The immutable principles of self defence, justified therefore the occupancy of the Floridas; and the same principles will warrant the American government in holding it, until such time as Spain can guarantee, by an adequate military force, the maintaining her authority within the colony.

A topographical sketch of the country, from Appalachacola, to Pensacola bay, accompanies this. Captain Young will prepare, as soon as practicable, a topographical memoir of that part of the Floridas, on which my army has operated, with a map of the country.

Captain Gadsden is instructed to prepare a report on the necessary defences of the country, as far as the military reconnoissances will permit, accompanied with plans of the existing works; what additions or improvements are necessary; and what new works should, in his opinion be erected, to give permanent security to this important territorial addition to our republic. As soon as the report is prepared, captain Gadsden will receive orders to repair to Washington City, with some other documents which I may wish to confide to his charge.

At the close of a campaign which has terminated so honorably, and happily, it gives me pleasure to express my approbation generally, of the officers and soldiers of every species of corps, which I have had the honor to command. The patience with which they endured fatigue and submitted to privations, and the determination with which they encountered and vanquished every difficulty, is the strongest indication of the existence of that patriotic feeling, which no circumstances can change, and that irresistable ardour in the defence of their country, which will prove her strength and bulwark under any exposure I should do violence to my feelings, if I did not particularly notice the exertions of my quarter master general, colonel George Gibson, who, under the most embarrassing of circumstances, relieved the necessities of my army, and to whose exertions was I indebted for the supplies received. His zeal and integrity on this campaign, as well as in the uniform discharge of his duties, since his connexion with my staff, merits the approbation and gratitude of his country.

With respect, yours, &c.

[Signed] ANDREW JACKSON,

Maj. Gen. Commanding.

Hon. J. C. Calhoun, Sec. of War.

Head Quarters, Division of the South, on the line of march,
May 23, 1818.

SIR,

The southern frontiers of the United States has, for more than twelve months, been exposed to all the horrors of a cruel and savage war. A party of outlaws and and refugees, from the Creek nation; negroes who have fled from their masters, citizens of the United States, and sought an asylum in Florida; and the Seminole Indians, inhabiting the territory of Spain, all uniting, have raised the tomahawk, and in the character of savage warfare, have neither regarded sex or age; helpless women have been massacred, and the cradle crimsoned with the blood of innocence.

The United States, true to their own engagements, and confiding in the faith of Spain to enforce existing treaties, never entertained a doubt, but that these atrocities would early attract the attention of the Spanish government, and that speedy and effectual measures would have been adopted for their suppression. Under this persuasion, a cordon of military posts were established, to give immediate protection to such of our frontier settlers as were peculiarly exposed, and strict injunctions issued to the American officers, to respect the territory of Spain, and not to attempt operations within its limits. These instructions were most scrupulously observed, and notwithstanding the inactivity of the American troops, had encouraged the Indians to the more daring and outrageous acts of violence against our citizens, the government of the United States, was still disposed to respect the territory of Spain and confide in the ability of the Spanish government, to execute existing treaties; until advised through you, that, with every disposition, the Spanish authorities had not the power of controling the Indians in Florida; that their acts of late, were received as equally hostile to the interests of Spain as those of the United States; that Spanish subjects were not exempted from the evils of which we complained, and that the negro establishments, on the Appalachicola and St. Juan rivers, were founded by British agents, contrary to the will of Spain: These representations, determined the President of the United States, to adopt effectual measures to restore tranquillity, to the southern frontier of the American republic; and pursuant to his orders, justifiable by the immutable laws of self defence, I have penetrated into Florida, reduced to ashes the Seminole villages, destroyed their magazines of provisions, beaten their warriors whenever they hazarded a contest, dispersed some, and expelled others across the river. In the course of my operations, it became necessary to visit the Spanish fortress of St. Marks. Entering the territory of Spain, to fight her battles, to relieve from bondage her subjects, and to chastise an Indian tribe, whom she acknowledged, under existing treaties, she was bound to preserve at peace with the United States, I had every reason to ex-

pect that the American army would have been received as friends, and every facility afforded, to insure success to operations so interesting to both governments. My expectations have not been realised. It had been reported to me, direct from you, that fort St. Marks had been threatened by the Indians and negroes, and you expressed serious apprehensions, from the weakness of the garrison and defenceless state of the work, for its safety. From other sources to be relied on, the same information had been furnished me. It became necessary, therefore, to anticipate the movements of the enemy, and amicably to get possession of a work, the dislodging the enemy from which, might cost me much precious blood. On entering St. Marks, evidence of the duplicity and unfriendly feelings of the commandant evinced itself: I found that the gates of his fort had been thrown open to the avowed savage enemies of the United States; that councils of war had been permitted to be held within his own quarters, by the chiefs and warriors; that the Spanish store houses had been appropriated to the use, and were then filled with goods belonging to the hostile party; that cattle, knowingly plundered from the citizens of the United States, had been contracted for, and purchased by the officers of the garrison, from the Spanish thieves; that foreign agents had free access within the walls of St. Marks; and a Mr. Arbuthnot, condemned and executed, as the instigator of this war, an inmate in the commandant's family. From this fort, was information afforded the enemy of the strength and movements of my army, by the said Arbuthnot; the date of departure of express, noted by the Spanish commissary, and ammunition, munitions of war, and all necessary supplies furnished.

On my return from my operations east, your letter was received, positively refusing to permit (unless exorbitant duties were paid) any provisions passing up to the American fort on the Escambia. Connected with this strong indication of an unfriendly disposition on your part, I have, from the most unquestionable authority, that the city of Pensacola has, for some months past, been entirely under the control of the Indians. That free ingress and egress is permitted to the avowed savage enemy of the United States. That supplies of amunition, munitions of war, and provisions have been received by them from thence. That on the 15th April last, there was no less than 500 Indians in Pensacola, many of them known to be hostile to the United States, and who had but lately escaped my pursuit. The late massacre of 18 individuals on the Federal road, was committed by Indians direct from their return to Pensacola, who were received by you, and transported across the bay, to elude the pursuit of the American troops. The Americans returning, the savages were permitted to return. An Indian wounded in pursuit by a party, for having killed a citizen of the United States, was openly, in the sight of many Americans, received by you, and every comfort administered.—Such practices, if authorized by the king, would justify me in open hostilities. Disposed however, to believe that it was one of the un-

authorized acts of agents, I deem it politic and necessary to occupy Pensacola and the Barrancas, with an American garrison, until the Spanish government can be advised of the circumstance, and have force sufficient to maintain, and agents disposed to enforce, existing treaties. This time it must be held until Spain has the power or will to maintain her neutrality. This is justifiable on the immutable principle of self defence. The government of the United States is bound to protect her citizins; but weak would be all its efforts, and ineffectual the best advised measures, if the Floridas are to be free to every enemy, and on the pretext of policy or necessity, Spanish fortresses are to be opened to their use, and every aid and comfort afforded. I have been explicit, to preclude the necessity of a tedious negotiation. My resolution is fixed, and I have strength enough to enforce it. My army now occupies the old fort St. Michael, commanding Pensacola. If the town and the Barancas are peaceably surrendered, an inventory of all property, ammunition, arms, &c. shall be taken by officers appointed by both parties, and the amount receipted for by me, to be accounted for by the American government. The property of Spanish subjects shall be respected; their religion and laws guaranteed to them; the civil government permitted to remain as now established, subject to the control of the military authority of the United States.

The ingress and egress open to all individuals; commerce free to the subjects of Spain as usual, and the military furnished with transportation to Cuba. If the peaceable surrender be refused, I shall enter Pensacola by violence, and assume the government until the transaction can be amicably adjusted by the two governments. The military in the case must be treated as prisoners of war. The proof supporting the accusation against your official character will justify this procedure.

In reply to your communication of the 22d instant, I have only to observe, that the clothing detained will be a subject for future friendly settlement.

How far the Indians permitted to remain in the neighborhood of Pensacola, were friendly disposed to the citizens of the United States, is tested by the late massacre committed by them on the Alabama. The Red Ground chiefs, Muldecroxy and Holmes, avowedly hostile to the United States, were but lately seen in Pensacola, and a body of Indians descried a few days since in the vicinity of the Barancas, in presence of several Spanish officers. By a reference to my communications of the 25th of March, you will see how far I have been the agressor in the measure protested against. You are there distinctly advised of the objects of my operations, and that every attempt on your part to succour the Indians, or prevent the passage of my provisions in the Escamba, would be viewed in no other light than as hostile acts on your part. You have done both, and exposed my troops to the severest privations by the detention, occasioned by the exaction of duties on my provisions and vessels in Pensacola.—

You have therefore been the agressor, and the blood which may be shed by an useless resistance on your part to my demand, will rest on your head. Before God and man you will be responsible. This will be handed to you by my aid de camp captain Gadsden, by whom an answer is expected.

[Signed] **ANDREW JACKSON,**
Maj. Gen. Commanding.

Don Jose Massot,
Gov. of Pensacola.

Head Quarters, Division of the South,
Pensacola, May, 24th, 1818.

SIR,

The enclosed communication was forwarded to you by my aid de camp captain Gadsden, last evening, not finding you, however, in Pensacola, its delivery was delayed. I have entered Pensacola to provision my troops; I have only to add that an immediate compliance with my demand is expected. Resistance on your part would be a needless sacrifice of men.

[Signed] **ANDREW JACKSON,**
Major General commanding.

Don Jose Massot, Governor of Pensacola,
at Fort St. Charles, Barancas.

Head Quarters, Division of the South,
Pensacola, May 25th, 1818.

SIR,

The accusations against you, are founded on the most unquestionable evidence. I have the certificates of individuals, who, on the 23d instant, at or near the little Bayou, counted seventeen Indians in company of several Spanish officers.

I have only to repeat that the Barancas must be occupied by an American garrison, and again to tender you the terms offered, if amicably surrendered. Resistance would be a wanton sacrifice of blood for which you and your garrison will have to atone. You cannot expect to defend yourself successfully, and the first shot from your Fort must draw down upon you the vengeance of an irritated soldiery. I am well advised of your strength, and cannot but remark on the inconsistency of presuming yourself capable of resisting an army which has conquered the Indian tribes, too strong, agreeably to your own

acknowledgment, to be controled by you. If the force which you are now disposed wantonly to sacrifice, had been wielded against the Seminoles, the American troops had never entered the Floridas.

I applaud your feeling as a soldier, in wishing to defend your post; but when resistance is ineffectual, and the opposing force overwhelming, the sacrifice of a few brave men, is an act of wantonness, for which the commanding officer must be accountable to his God.

[Signed] **ANDREW JACKSON,**

Major Gen. Commg. Division South.

Don Jose Massot,

Commg. Barancas.

Field Report of the operating Army under the immediate command of Maj. Gen. Andrew Jackson, at Pensacola, May 24, 1818.

STAFF, CORPS, AND REGIMENTS.	PRESENT FIT FOR DUTY.																									
	Adjutant Generals.	Quarter Master Generals.	Aids de Camp.	Assistant Adj. Generals.	Ass't Dep. Qr. Mas. Gen'ls.	Ass't Topo Engineers.	Hospital Surgeons	Sec. Major General.	Colonels.	Lt. Colonels.	Majors.	Adjutants.	Quarter-Masters	Judge Advocates.	Surgeons.	Surgeons Mates	Forage Masters.	Ass't Forage Masters	Captains.	Subalterns.	Sergeant Majors.	Quarter-Master Sergeants.	Sergeants.	Corporals.	Musicians	Privates.	Total.	Aggregate.
4th Battalion of Artillery	1	1	2	2	2	1	1	1				1															11	11
4th Regiment of Infantry									1		1	1			1				1	3		1	3	5	3	35	47	52
1st and 2d Regiments of Tenn. Volunteers									2	4	4	3	2	1	2	4		1	2	4	1	1	12	13	7	93	127	137
Kentucky and Tenn. Volunteer Life Guards																			17	54	4	2	59	57	11	610	743	837
																			2	2			4	3		44	51	55
	1	1	2	2	2	1	1	1	3	4	5	5	2	1	3	4		1	22	63	5	4	78	78	21	782	979	1092

Lieutenants Ripley and Cross, of the Department, joined at Pensacola, and marched with the army, not included in the above report. The companies of Life Guards with a detachment of Tennessee Volunteers, in all 100 men, formed a guard for the protection of Pensacola. The sick of the different corps, amounting to thirty-six men, were detached, having an aggregate of nine hundred and fifty-six to operate against the fortress at Barrancas.

[Signed]

ROBERT BUTLER,
Adjutant General.

Head Quarters, Division of the South,

Adjutant General's Office, Barancas, May 29, 1818.

FELLOW SOLDIERS!

You were called into the field to punish savages and negroes, who had, in a sanguinary manner, used the tomahawk and scalping knife upon our helpless citizens upon the frontier. You have pursued them to Mickasukey, St. Marks, Suwaney, and lastly to this place, through an unexplored wilderness, encountering immense difficulties and privations, which you met with the spirit of American soldiers without a murmur.

Your general anticipated a close of the campaign on his return to fort Gadsden, and hailed the hour with feelings of gratitude to heaven, at the prospect of relieving you from your labors, by placing you in quarters, and returning you to your homes; but how great was the disappointment, when he heard of the recent murders committed on the Alabama, by a party of the enemy from Pensacola, where they were furnished with provisions and ammunition by a friendly power. Under this state of things, you were marched here, encountering difficulties which you alone can properly appreciate, meeting on the way the protest of the governor of West Florida, threatening to employ force if we did not immediately evacuate the country. This new and unexpected enemy was soon taught to feel the importance of his threats. You entered Pensacola without resistance, and the strong fortress of the Barancas could hold out but one day against your determined courage. Your general cannot help admiring the spirit, and military zeal manifested when it was signified, that a resort to storming would be necessary; and would be injustice to his feelings, did he not particularly notice the judgment displayed by his aid de camp, captain Gadsden, of the engineers, in the selection of the positions for the batteries, and the gallantry of his second aid, Captain M'Call and captain Young, of the topographical engineers, in aiding him to erect the works, under the fire of heavy batteries, within four hundred yards; as well as the skill and gallantry of captain Peters, lieutenant Minton, and Spencer, in the direction and management of the nine pounder; and that of lieutenant Sands and Scallon, charged with the management of the howitzer. Captain M'Kever of the navy, merits, as he has on several occasions, his warmest thanks, for his zealous co operation and activity, in landing two of his guns, (should an additional battering train have been necessary,) and gallantly offering to bring his vesssel, before the water battery, in the event of storming the upper works. His officers and crew deserve his confidence.

The general assigns to colonel King the government of Pensacola, and its dependencies, and that part of the seventh department, laying west of the Appalachicola, and Chalahouchie rivers, until otherwise ordered by general Gaines.

The colonel will take measures to have the volunteers now at Pensacola, relieved, preparatory to their return march. The Tennessee volunteers will be rationed for five days, and will forthwith move for Fort Montgomery, where they will receive further orders.

The general in taking leave of colonel King and his command, tenders to the officers and soldiers, an affectionate farewell.

By order.

[Signed] ROBERT BUTLER,

Adjutant General.

Head Quarters, Division of the South,
Pensacola, May 29th. 1818.

Major general Andrew Jackson has found it necessary to take possession of Pensacola. He has not been prompted to this measure from a wish to extend the territorial limits of the United States, or from any unfriendly feeling on the part of the American republic to the Spanish government. The Seminole Indians, inhabiting the territories of Spain, have, for more than two years past, visited our frontier settlements with all the horrors of savage massacre: helpless women have been butchered, and the cradle stained with the blood of innocence; these atrocities, it was expected, would have early attracted the attention of the Spanish government, and faithful to existing treaties, speedy measures adopted for their suppression. That so far from being able to control, the Spanish authorities were often compelled, from policy or necessity, to issue munitions of war to these savages, thus enabling, if not exciting, them to raise the tomahawk against us.

The immutable laws of self defence, therefore, compelled the American government to take possession of such parts of the Floridas, in which the Spanish authority could not be maintained. Pensacola was found in that situation, and will be held until Spain can furnish military strength sufficient to enforce existing treaties.

Spanish subjects will be respected; Spanish laws will govern in all cases affecting property and person; a free toleration to all religions guaranteed, and trade alike to all nations.

Colonel King will assume the command of Pensacola, as military and civil governor. The Spanish laws, so far as they effect personal rights and property, will be enforced. Colonel King will take possession of the archives of the province, and appoint some confidential individual to preserve them. It is all important that the record of titles and property should be carefully secured. He will cause an inquiry to be made into all the landed property belonging to the king of Spain, and hold possession of it.

The claims to property within the range of gunshot of fort St Charles de Barancas, will be scrupulously examined into, and should this prove valid, a rent allowed, but possession in no wise given. This property is necessary for the United States, and under its laws may be held, and an equivalent paid.

The revenue laws of the United States will be established, and captain Gadsden appointed to act as collector, with full powers to nominate such sub-officers as in his opinion will be necessary to the faithful discharge of the trust reposed in him. He will apply to the governor of Pensacola, for military aid in all cases where it may be necessary to correct attempts at an illicit trade.

[Signed] ANDREW JACKSON,
Major General, commanding Division South.

Head Quarters, Division South,
Fort Montgomery, June 2, 1818.

SIR,

The Seminole war having terminated, I deem it politic and advisable to send to Washington, John Blunt and his Indian comrades, who have acted as pilots to me during may late campaign.—John Blunt is a Tuckabatchee Indian, and has long been friendly to the United State, and in consequence of his opposition to the Red Sticks party, during the Creek war, has drawn down upon himself their vengeance during the late contest. His settlement being in an exposed situation on the Appalachicola river, he was early attacked by the Seminoles, his property destroyed, and his family rifled from him; alone he escaped, and fled to fort Scott, where, joining the American standard, he has proved himself a most zealous friend, and faithful pilot to this period. In justice to him I am bound to state, that his correct knowledge of the country, and zealous attachment to the cause in which we were engaged, am I measurably indebted for the success of the present campaign.

Mr. Hambly accompanies John Blunt. Mr. H. is a Spanish subject by birth, and has long been a resident as a trader on the Appalachicola river. In consequence of his attachment to the American cause, and his active exertions to check the hostile feelings of those Indians, disposed to war against the United States, he drew down upon himself and family their vengeance.

He was forcibly taken from his house at an early period of the war, his property, goods and negroes taken from him, and he violently transported from Mickasuky, Suwaney and St. Marks, until finally relieved by captain M'Keever, of the American navy. Since which period he has been attached to my army as Indian interpreter. You

will find him an honest and faithful friend to our government, and valuable for the information which he can afford of Spanish policy and intrigue.

He is well acquainted with all the transactions of foreign agents in this country, of their practices, &c. and how far encouraged by the Spanish authority, &c.

With respect, &c.

[Signed] ANDREW JACKSON,

Major general commanding.

The honorable J. C. Calhoun,
Secretary of war.

No. 1.

Deposition of Sebastian Caro.

Mr. Sebastian Caro, a citizen of Pensacola, being sworn, states: that being in Mobile during the early part of the Seminole campaign, he knew nothing of the Indians being at that time in Pensacola; that in the spring of 1814, about 200 Indians were in Pensacola, and it was generally understood by the citizens, and believed by them, that those Indians procured ammunition and provisions from the public stores, for the purpose of carrying on their depredations on the American frontier; and that this proceeding was much commented on by the citizens, and generally condemned. Mr. Caro, did not himself see ammunition and provisions issued to the Indians, but it was a thimg of public notority.

[Signed] SEBASTIAN CARO.

Sworn and subscribed before me at Pensacola,

H. YOUNG, *Capt. Top. Engr.*

September 7, 1818.

No. 2.

Deposition of Jose S. Caso.

Jose S. Caso, a citizen of Pensacola, being sworn, states: that early in the present year, 1818, a party of hostile Indians were in Pensacola, their numbers not known, but probably fifty; that on hear-

ng of the approach of the American army under general Jackson, the governor of Pensacola furnished those Indians with provisions and ammunition, and sent them in public boats across the bay. The deponent saw the rations issued, and the party embarked. The deponent further states, that subsequent to this, he saw three parties of hostile Indians furnished with provisions, the ostensible object of which, was to enable those Indians to march to the interior and give themselves up; but it was very generally believed, that those Indians had no such intention. The deponent saw those Indians set out, and states that they had their arms.

[Signed] JOSEPH ESTEEVEN CASO.

Sworn and subscribed before me at Pensacola.

HUGH YOUNG,
Captain Top. Engineers.

10*th Sept.* 1818.

No. 3.

Deposition of Charles Baron.

Charles Baron, a resident of Pensacola, being sworn, states: that about the latter end of April, or beginning of May, 1818, a party of Indians, amounting to near 100, were in Pensacola with a quantity of plunder, which it was generally believed was taken at the time Stokes' family was murdered on the Escambia. The Indians sold this plunder openly to the inhabitants of Pensacola, and the deponent could not learn that the Spanish authorities at Pensacola made inquiries respecting it. The deponent further states, that, at several times in the present year, 1818, he saw parties of Indians furnished with provisions and ammunition from the king's store, but he does not recollect the dates of these transactions. The deponent further states, that he has frequently heard Spanish officers at Pensacola justify the conduct of the Indians towards the United States, manifesting in their conversation, a decided hostility towards the Americans.

CARLOS BARON.

Sworn before me at Pensacola, Sept. 13, 1818.

H. YOUNG,
Captain Top. Engineers.

John Duffey, being duly sworn, declares as follows:

Question. Have you resided in and about Pensacola since November, 1817?

Answer. I have.

Question. Have you seen in said town, or its vicinity, within, or since that period, any Indians?

Answer. I have.

Question. How many did you see at any particular time?

Answer. About the latter end of last spring, I saw in town from fifty to sixty Indians; but few of them were armed, because they were prohibited from coming into town armed. I suppose their arms were left in their camps in the neighborhood.

Question. How did these Indians subsist themselves; and how did they procure ammunition?

Answer. Probably from government here; of this, however, I am not certain.

Question. Did you see any horses, cattle, or other plunder, brought into this place by the Indians?

Answer. No.

Question. How many Indians were in Pensacola, and its neighborhood, at the time that major Youngs attacked a party near this town?

Answer. Of all descriptions, viz. men, women, and children, there must have been a considerable number; not less, probably, than one hundred and fifty or sixty.

Question. When major Youngs attacked the party near town, how did those in town find means to escape across the bay?

Answer. I have understood, and believe, that they were set across the bay by order of the governor.

SANTIAGO BAUJHIN.

A true copy.

R. St. Call, a. l. c.

Joseph Bonefi, being duly sworn, declares as follows, viz:

Question. Have you lived at Pensacola since November, 1817?

Answer. I have.

Question. Have you not between that period and the approach of the American forces under major general Jackson, repeatedly seen divers parties of hostile Indians in this town, or its neighborhood?

Answer. I have. Indeed, between the said month of November, and the time that the hostile party surrendered to major Youngs;

there were more or less in town. Sometimes in numbers considerable—sometimes fewer.

Question. How, or by whom were those Indians subsisted, and from whom, or by what means did they procure ammunition, and other warlike stores or weapons?

Answer. I have understood, and do believe, that they were fed by the government here. As to ammunition, &c. I cannot state how they procured supplies, except it might have been from the stores about town.

Question. Have you seen, or been informed of any horses, cattle, or other plunder having been brought in here by the Indians within the term above alluded to?

Answer. No.

JOSEPH BONEFAY.

Pensacola.

Both depositions sworn and subscribed before me the 19th September, 1818.

M. M'KINSEY, Senr.
J. P. in and for Pensacola, W. Florida.

A true copy.

R. St. Call, a. l. c.

Province of West Florida,
Town of Pensacola, September 18th. 1818.

In pursuance with an order to me directed by colonel William King, civil and military governor of said province, (a copy whereof is hereunto annexed) I caused to appear before me, at the quarters of captain Hugh Young, of the army of the United States, in this town, the following persons, viz. Manl. Gonzales, Dn. Brosnaham, William Cooper, J. Dauphin Skeate, Felippi Prieto, Jaochim Barrełas, P. Alba, Junr. Jose Bonefi, (Marian) and Charles Le Jean, to answer on oath such interrogatories, not tending to criminate themselves, as might be propounded to them by captain Young, relating to the intercourse, which took place between the late Spanish authorities of this province, and the hostile Indians, during the recent war with the United States.

Joachim Barrelas, being duly sworn, declares: That he has frequently seen parties of Indians in the town of Pensacola, since the month of November, 1817; says, that parties of Indians have been provisioned by the late authorities at this place; on several occasions has frequently heard and believed that the Indians were in the habit of

bringing into this place, horses, cattle, &c. for the purpose of selling them and other plunder; says he was at Barrancas at the time that general Jackson came to Pensacola, in May last. Deponent acted there as commissary, and knows that several Indians went from town, down to Barrancas, with the Spanish forces, and took refuge in the fort. That at the same time several small parties were encamped about the Barrancas. That upon the arrival of general Jackson before the Barrancas, Tapaulca and family, were also in the fort. Deponent has seen said chief several times in Pensacola, and believes him to be either a Creek or Seminole Indian: that while deponent was at Barrancas, and subsequently to the said month of Nov. 1817, he saw an Indian named Luna, an express from St. Marks, cross over from Santa Rosa Island to Barrancas, with despatches for the governor here. Says that since the said month of Nov. 1817, governor Massat being himself at Brrancas, did order this deponent to give rations to several parties of Indians then there, of at least from thirty to forty strong, men, women, and children.

[Signed] JOACHIM BARRELAS.

George Skeate, being duly sworn, declares: That he has constantly resided in the town of Pensacola since Nov. 1817. Since which he has repeatedly seen at different times in said town, from thirty to forty Indians: has not seen any ammunition given to the Indians within the period above alluded to: has heard and believes that horses, cattle, &c. wer brought into this place by the Indians and sold; which deponent however did not see. Deponent believes that the late governor Maset was well acquainted with the several murders that were committed in the neighboring frontier. Knows of no supplies furnished by order of the Spanish government, since about the month of March, 1817, when a supply of knives, a few blankets, and some copper kettles were furnished and delivered to a party of Indians, for the purpose as was then said, of acting against the insurgents who were expected. That the said party of Indians shortly disappeared, and nothing more was heard of them. Deponent said, that on the day that major Youngs attacked a party of Indians in the neighborhood of this town, a number of Indians, whom he believes were sent, (or went themselves) across the bay in a boat belonging to Don Antonio Molina, captain of the post.

[Signed] GEORGE SKEATE.

Mr. Charles Le Jeune, being duly sworn, declares: That he has resided in Pensacola since Nov. 1817, since which he has frequently seen in this town or its vicinity, parties of upwards of an hundred Indians encamped; that these parties were armed either with rifles or with the arms that were furnished them by the English. That although he cannot state that those parties had received ammunition from the Spanish government here, he nevertheless can and does state, that the said parties were provisioned from the king's stores, by Prieto, king's storekeeper; that previous to Nov. 1817, the government was regularly in the habit of giving out ammunition to the Indians, from a store which was expressly for that purpose here. That on the day that major Youngs attacked the Indians near shis town, there was a considerable number encamped near the water side, in town, who, upon hearing the report of fire arms crossed the bay in their own boats, and other larger boats, belonging to others.

[Signed] CHARLES LE JEUNE.

Wm. Cooper, being duly sworn, declares: That he has resided in Pensacola since Nov. 1817, during which period he has frequently seen in town and its vicinity, several parties of Indians; saw one in particular, with some sheet lead, and has heard that the Indians had introduced some clothes into town that looked like American manufacture; states also, that Tapaulca was *Red Stick* chief, and had been frequently about Pensacola for several years past.

[Signed] WILLIAM COOPER.

Pensacola, Sept. 19th, 1818.

I certify that the aforegoing depositions were sworn to and subscribed before me on this day.

M. M'KENSEY, *Sen'r.*
J. P. in and for the town of Pensacola, West Florida.

Pierre Senac, being solemnly sworn, declares as follows:

That he has resided in the town of Pensacola constantly, since the month of November last past; that since that time, and until the arrival of major Youngs near this town, there were always considerable numbers of hostile Indians in or near this town; that on many

occasions, within that period, he has seen, from one hundred and fifty to two hundred Indians here. That these forces were regularly provisioned from the king's stores here; that he has seen large quantities of sheet lead in the possession of the Indians, and considers it as greatly resembling the lead aprons of cannon; that the government must have furnished the lead in question, as there were no other means here of getting such lead; and that the said lead was run off into balls, which this deponent saw.

That on the day that major Youngs attacked a party of Indians near this town, there was then in town a considerable number more, who were set across the bay in boats provided for that purpose by the Spanish governor.

Deponent further states, that about the first of March, last past, three considerable parties of hostile Indians, one party under the command of Leon Lesassier, another under the command of Arnaud Gilmar, (both lieutenants in his Catholic majesty's service,) and the third commanded by an Indian chief, retired out of this town, and went down towards the neighborhood of Barrancas, where provisions and ammunition were regularly supplied to them by the Spanish government; that the said Indians were armed with guns, which they had received from the English during the late war, and that they remained encamped within from one to three leagues of Barrancas, for the space of nearly a month; that these Indians, besides being armed with guns, had also tomahawks, which deponent understood and believes were furnished by John Junerarity; and that when the government caused the said parties to be thus assembled and equipped, they were collected at Barrancas, for the purpose as deponent conceives, to elude the vigilance of such individuals in Pensacola, as would not concur in such measures.

Deponent further states, that since the said month of November last past, he has seen brought in here by the Indians, a quantity of Cottonade and women's clothing, brought, or said to have been brought, from the American frontier; that these things were publicly sold in this town, notwithstanding it was notoriously known here, that those articles and property had just been taken from those whom the Indians had killed on the American frontier.

[Signed] PIERRE SENAC.

Attest,

J. B. Robinson, Interpreter.

Pensacola.

Sworn to, and subscribed before me, this 19th day of September, 1818.

M. M'KINSEY, Senr.

Justice of the Peace, in and for the town of Pensacola, W. F.

Coosada, (near Fort Jackson,)
27th March, 1818.

SIR,

Having arranged the affairs of the territory, as far as was practicable, I left St. Stephens the 14th instant, with the intention of proceeding to Georgia for my family. At the town of Claiborne, the next day, intelligence reached me, that on the night of the 13th instant, a party of Indians had attacked a house on the Federal road, about fifty miles distant from that place, and murdered eight persons. I immediately ordered a detachment of mounted militia into service, and proceeded with them to the place. At the same time, apprehending the murderers might attempt to escape to Florida, the asylum for our enemies, I transmitted a communication by express to the commanding officer at Fort Crawford, notifying him of my arrangements, and desiring a force to be sent from the fort in two detachments along certain routes to the place of rendezvous. The express was also instructed to overtake me. I accordingly received information from major Youngs, that my request had been executed. The detachments were marched with a promptitude honorable to the major; and I trust, they will be enabled, with the aid of the militia, to arrest the progress of the hostile party.

Understanding that the inhabitants in this quarter, considered themselves in much danger, I issued the necessary orders for the disposition of the troops, and proceeded hither. I have since been *correctly* informed, that the morning I left the place of rendezvous, five men riding on the road in that neighborhood, were fired on by the Indians, three killed, and one wounded; in this state of things, it is indispensable to the safety of the country, that troops should be stationed at several points; and I have taken measures, as far as I can, for that object. I have also issued an order, that all Indians who are hunting in our woods, depart forthwith to their nation. It has become necessary to their safety, and to the repose of the inhabitants. We cannot distinguish the hostile from the friendly party, and such is the state of alarm, that the sight of an Indian, creates among the women and children, the most frightful apprehensions. I have sent a letter to the Big Warrior, requesting him to call his people home, and assuring him that my order is dictated by the most friendly motives.

Is it not probable, that when the Seminoles are pressed by general Jackson in the neighborhood of Apalachicola, they will retreat to our frontiers, and take revenge on our defenceless inhabitants. I look for it; and am without the means of resistance. There are not more than a hundred regulars at Fort Crawford, and two-thirds of the militia of the Territory are not yet organized; nor can I organize them, and appoint the officers, until the country is laid off into proper beats. So soon as the legislature arranged the counties,

I issued the necessary instructions on that subject, but owing to the high waters, and the want of bridges, it is impossible to have them executed at present. There is not, moreover, nor has there been, one dollar in our treasury. You will readily perceive my embarrassments, and I earnestly entreat you, to place funds at my disposal for the protection of the people; and, if practicable, to order a much larger number of regular troops to our frontiers.

I shall make this my head quarters for some weeks.

I have the honor to be, &c. &c.

[Signed] WM. W. BIBB.

Hon. John C. Calhoun,

Secretary of War.

At Manack's, 15th April, 1818.

DEAR SIR,

Since I last wrote to you, I have received intelligence which makes it necessary for me to return to St. Stephens. I learn that the Indians who committed the late murders in this neighborhood, were seen a few days since at Pensacola. My situation is extremely unpleasant. I am without funds for the protection of the territory, and totally ignorant of the views of the government with respect to Florida. A friendly and intelligent Indian has informed me that the hostile party by whom we have been annoyed, are two miles south of the Florida line, on a creek called Yellow water, from whence they make incursions among us. And yet I have received no intimation from the executive of the United States, which authorizes me to send troops into the Spanish territory. What orders have been issued to general Jackson, on that subject, I know not; nor indeed am I acquainted in any degree with the arrangements on the part of the United States, for prosecuting the present war.

I should be glad to ascertain the views of the government. We have no mails at present, and I send this letter to Georgia by travellers, whom I have met this evening on my route to St. Stephens.

Your obedient servent,

[Signed] WM. W. BIBB.

Honorable J. C. Calhoun,

Secretary of War.

Fort Gadsden, May 2, 1818.

SIR,

We beg leave to submit to you the following statement of facts: On the 13th of December, 1817, we were violently torn from our settlements on the Appalachicola river, by a number of Indians, headed by Chenubby, a chief of the Fowl Town tribe, carried to Mickasuky, and delivered to Kenhaja, king of the Mickasukians. Kenhaja carried us to the negro towns on Suwany, and thence to the Spanish fort St. Marks, to the commandant of which, he delivered us as prisoners, captured under the orders of a Mr. Arbuthnot, reported to us as a British agent. At St. Marks, we were treated as prisoners, and not permitted to wander beyond the walls of the garrison. While at that post, the ingress and egress of the Indians, hostile to the United States, was unrestrained, and several councils were held, at one of which, Kenhaja, king of the *Mickasukians*, Francis, *or Hillis Hajo*, Hamathlemeco, the chief of the Antesses, and the chief of the Kolemies, all the old Red Stick party, and Jack Mealy, chief of the Ochewas, were present. When it was reported that these chiefs and their warriors, were entering fort St. Marks, for the purpose of holding a council, Hambly represented to the commandant, the impropriety of permitting such proceedings within the walls of a Spanish fortress, the officer of which, was bound to preserve and enforce the treaties existing between the king of Spain and the United States; he replied to Hambly, with some degree of warmth, observing that it was not in his power to prevent it. On the Indians coming into the fort, at their request, we were confined. The council was held in the commandant's quarters, he, the commandant, was present, but strictly forbade the intrusion of any of the officers of the garrison.

The Indians were in the habit of driving to fort St. Marks, and disposing of cattle to the commandant and other Spanish officers. While at that post, three or four droves were brought in, acknowledged by the Indians, to have been stolen from the citizens of the United States, and purchased by the Spanish officers. We were present at most of these contracts, and Hambly often referred to as an interpreter, between the purchaser and seller. Chenubby, a Fowl Town Indian, once applied to Hambly, to mention to the commandant, that he was about visiting the frontiers of Georgia, on a plundering expedition, and wished to know whether he would purchase the cattle brought in. A contract was entered into, and Chenubby some time after, brought in and disposed of eleven head of cattle, to the Spanish commandant of fort St. Marks; these same cattle were those purchased by you from the commandant, as his private property.

(Signed) WM. HAMBLY,
EDMD. DOYLE.

Fort Gadsden, May 3, 1818.

SIR,

In conversation with the commandant of fort St. Marks, on the subject of having that work occupied by an American garrison, I had occasion to notice the aid and comfort that the hostile party of Indians had received, as reported, from him; that they had free access within the walls of his fort, and that it was well known, no small supplies of ammunition had been received from that quarter. In reply, he stated, that his conduct had been governed by policy: the defenceless state of his work, and the weakness of his garrison, compelled him to conciliate the friendship of the Indians; to supply their wants, to grant what he had not the power to deny, and to throw open, with apparent willingness, the gates of his fortress, least they should be forced by violence. That he had been repeatedly threatened by Indians and negroes, and that his security depended upon exhibiting an external friendship.

After fort St. Marks was occupied by the American troops, a black man and a Spanish soldier, was reported to me as having been arrested, clad in the American uniform, recognised as part of the clothing of the 4th and 7th regiments, captured in the boat, commanded by lieutenant Scott, in ascending the Appalachicola river.

In explanation, the Spanish commandant observed, that his soldiers and the Seminole Indians, were in the habit of trading with each other; and that this negro, with others of his garrison, had received his permission, to purchase some clothing, reported to have been brought in by the Indians.

Respectfully, &c.

(Signed) JAMES GADSDEN,

Aid de camp.

Maj. gen. A. Jackson, comdg. S. Div. U. S. army.

We, the undersigned, do hereby certify, that, at the capture of fort St. Marks, East Florida, by major general A. Jackson, on the 7th April, 1818, there were some cattle purchased on account of the United States, and turned over to us, which we are of an opinion had been driven from the frontiers of Georgia, (a part of them at least,) and we were strengthened in our opinion, by a number of officers and men from Georgia, offering to swear to a number of them as the property of their neighbors and friends. Given under our hands at fort Gadsden, this 3d May, 1818.

[Signed] JACOB R. BROOKS,

Acting contractor's agent U. S. army.

PETER CONE,

Assistant Commissary.

We, the undersigned officers and men, of the Georgia militia, in the service of the United States, do hereby certify, that we were at fort St. Marks, East Florida, at the time of its capture by major general A. Jackson, on the 7th April, 1818, and saw some cattle that were purchased on account of the United States, from the Spanish authorities, which we were ready to swear to as the property of our friends and neighbors in Georgia.

Given under our hands at fort Gadsden, this 3d May, 1818.

[Signed] ANDREW F. FRAZER, *Captain.*
DANL. F. SULLIVAN, *G. M. S.*

Fort Gadsden, 3d May, 1818.

SIR,

After the occupancy of fort St. Marks, with American troops on the 7th April last, it became my duty to take charge of some goods, found in one of the public stores.

These goods were pointed out by the Spanish commandant, who, through Mr. Hambly, as interpreter, seperated several of the articles claimed as his own private property, and designated others as the property of Francis, or Hillis Hajo und Arbuthnot, a British agent or trader. An inventory of these was taken and deposited with the American officer, left in command of fort St. Marks.

With respect, &c.

[Signed] D. E. TWIGGS,
Brevet Major, 7th Infantry.

I certify, that I acted as interpreter in the transaction above alluded to, and two separate parcels of goods were designated by the Spanish commandant of St. Marks, as belonging to Hillis Hajo and Arbuthnot.

[Signed] WM. HAMBLY.

I do hereby certify, that during my long residence on the river Apalachichola, my knowledge of the Indian language, and my intimate acquaintance with the different chiefs, gave me many opportu-

nities of knowing through them, the advices given them, from time to time, by the governors of West Florida, hostile to the United States. In the year 1812, or 1813, I saw a letter from the governor of Pensacola, to the late chief of the Seminoles, Thomas Perryman, advising him to collect his forces and join his upper town brethren, whom he said had come to a determination to rise in arms, and shake off the American yoke; he would supply them in arms and ammunitions, and he said he was sure that in less than a month, their fathers and protectors, the Spaniards, would have a sufficient army in the field, to aid and protect them. Not long after I saw this letter, a large party of Indians went down to Pensacola, where they received a large supply of ammunition, and some arms; it was but shortly after this, when they attacked and destroyed the garrison of Fort Mims; this was the commencement of the first Indian war. On the 13th of December last, when on my plantation on the Apalachichola, I was made a prisoner by a party of Seminole Indians, and was taken up to the Ochesee Bluffs, in company with Mr. Doyle, who was made a prisoner of, with me. They kept us here three days, during which time, they were busily engaged with some transports, which was then ascending the river to Fort Scott; from thence they took us to the Mickasukey, where the Indians informed me, that they had been told by the commandant of St. Marks, that war was declared between Spain and the United States; from this place we were carried to the Suwany, when Kenhagee, principal chief of the Seminoles, told me, that we had been taken and robbed, by order of Arbuthnot, and brought there, to be tried by him. Shortly after we reached this, Arbuthnot arrived from Providence, when we were tried and sentenced by said Arbuthnot, to be tortured; this sentence was not put in execution, by the friendly interference of Mr. Cook, clerk to Arbuthnot, and the negro chief, Nero. We were then conducted back to the Mickasukees, then Kenhagee went down to the Fort St. Marks, to consult the commandant, if he would take us as prisoners, to keep at his order; they held a council among the neighboring chiefs, and on the fifth day, he returned and ordered us to be conducted down next morning. We arrived at St. Marks, on the 12th of February, at night; the Spanish officers received us kindly, but the commandant did not forget to remind us, that we were still prisoners, and marked out that night the limits of our prison, they rigidly kept during the time of our stay. Next morning, the first thing that presented itself to my view, was my saddle horse, which had been taken from me by the Indians; he was in possession of the commissary. I mentioned it to the commandant, but he said that he bought him of an Indian, and he could do nothing in it. A few days after, in the course of conversation, I mentioned it to the Spanish doctor, he assured me that two-thirds of the property taken from us by the Indians, had been bought by the commissary and others in the fort; the plundered property taken from Georgia, was every day luckily bought by the

commandant and others. I knew one instance of an Indian making an engagement with the commandant for cattle, that he was a going then to plunder, and in fourteen or fifteen days, brought them in and sold them. On our first arrival at St. Marks, we had by help of a friendly Indian, conveyed intelligence to our friends in Pensacola, of our situation, and they sent us on a small vessel, to effect our escape; at her arrival, the commandant said to us, that he had no objections to our getting out of the power of the Indians, but that he should first demand a written obligation that we should never return to that country, nor hold communication, directly or indirectly, with the United States' government, or any of her officers; this being settled, we left St. Marks in the night of the 28th March, and joined captain M'Kever in his gun boats, in the bay of Apalachicola; on the 30th returned with him to St. Marks, where we joined general Jackson on the 6th of April. Given under my hand, this 24th July.

[Signed] WM. HAMBLY.

William Hambly's certificate.

Fort Montgomery, June 2d, 1818.

I certify, that between the 5th and 17th of May, 1818, whilst at fort Gadsden, on the Appalachicola river, I was informed by a Mr. Larua, and Benetto Gassea, both citizens of, and at that time, direct from Pensacola; that at the time of their departure thence, there were 500 Indians in and about Pensacola; and I further certify, that on my arrival at Pensacola, on the 23d of May, I was informed by Mr. Skeets, and other citizens of that place, that on the 22d, which was the day before my arrival, Holmes, (a noted Red Stick) with his party, had left Pensacola to proceed to the Choctawhatchy for safety, having been for several days previous in town.

All which I certify on honor.

[Signed] WM. HAMBLY.

Witness.

William S. Fulton, Private Secretary,

Com'g General.

I certify, that on the 23d of May, 1818, being in the Bayou, which enters Pensacola Bay, one and an half miles from the town, I saw, at the ferry, on the road to Barancas, a number of Indians, I think about 17, in company with four Spanish officers. The officers were carried over, and the boat returned to ferry over the Indians. I saw one boat load landed on the side next the Barancas. The Indians concealed themselves in the bushes on discovering us.

[Signed] **RICHARD BRICKHAM.**

Witness,

T. Cross, Lieut. Infantry.

I certify, that I was in the boat with Brickham, at the place and time mentioned in the above certificate; that I saw several Indians in company with four Spanish officers; the officers were ferried over with one Indian; I did not see the Indians ferried over; they concealed themselves on discovering us.

[Signed] **JOHN** his mark **BONNER.**

Witness.

Z. Cross, Lieut. Infantry.

Witness to both certificates,

William S. Fulton, Private Secretary, Commanding General.

We certify, that being in fort St. Charles Barancas, on the 28th of May, 1818. in the afternoon, soon after the American troops took possession of the work, and as the Spanish troops were marching out, we saw an Indian carried out by some of the Spanish soldiers;

he was laid on the back, to be put on board a boat; he was wounded in the leg or thigh, and had every appearance of having been engaged in the defence of the fort.

[Signed] WM. RUSSELL, *Captain Spies.*
JAMES L. BELL,
Capt. 1st Reg. T. V. Md. G. M.

Witness,
Wm. S. Fulton, Private Secretary, Commanding General.

(Translation.)

Copy of a note of the commandant of West Florida, to major Young, at the encampment, banks of Escambia.

Pensacola, April 27, 1818.

SIR,

Your notes of the 27th, dated encampment, on the Escambia, and fort Crawford, accompanying the proclamation which you were pleased to enclose, were delivered to me, at three o'clock this afternoon, by an artificer, a man of color, whose speedy return, not allowing me at present to answer them in detail, I shall merely state, that the small number of peaceful Indians, who were in this place and its vicinity, retired on the 26th; at the dawn of which day, several of them, both women and children, were killed by troops of the United States. As it is not my purpose to investigate the motives of this act, or of the violation resulting from it, I shall only say, that in compliance with my duty, I shall give an account of the whole proceeding to my superior, and, in the mean time, I hope you will allow no further hostilities to be committed on this territory, on any pretence whatever. If the Indians should give any further cause of complaint, I trust you will inform me of it, that they may receive due punishment, should that depend on my authority. If there are any Indians still remaining within this territory, I will have them sought for, and informed of your letter, and advise you of the result. I can assure you, both under my hand, and on my word, that the information, as stated in your letter, of the aggressions committed by the Indians, is the first I have had of them; for at the time I agreed to the return of the

escort referred to, I had no knowledge of any others, than those who were concerned in the attack on lieut. Eddy.

I repeat to you the assurance, that my wishes and efforts are wholly directed to preserve the peace, happily subsisting between our governments.

In a full confidence in your favorable sentiments, I beg leave to offer you my respectful salutations.

God preserve you many years,

(Signed) JOSE MASOT.

To maj. White Young, commanding the American troops on the Escambia.

Copy of a note from Jose Masot to major W. Young.

Pensacola, May 2, 1818.

SIR,

In consequence of the request expressed in your letter, of the 27th inst. I assembled the chiefs of the Upper Creeks, at the villages of Colome, Canaan, Cowale, and Forsatche, and communicated to them the contents of your letter. They all replied, that they had for a long time been very miserable and wretched, without shelter or home; that by the counsel of a good friend, they had at length found one; that they had listened attentively to it, and accepted with gratitude, the offers you had made them. These Indians are about 87 in number, including women and children. They agreed to divide themselvss into three parties, and set out on their march, as soon as I received your answer, which they thought it would be prudent for them to keep: and that when you were informed of their resolution, you would give the necessary orders for their safe progress, and avoiding any rencountre with the Choctaws, who, if not seasonably apprised of the circumstances, might attack them, in which case, the pacific arrangements, in which we both take so strong an interest, would be entirely defeated. Opahi-hola, an Alibaman chief, on account of his advanced age and infirmaties, will, for the present, remain here with his family. I have given orders for his relief, and pledge

myself for his good behavior. You will always find me disposed, sir, to promote any measure, conducive to the mutual interests of our two countries, which may, at the same time, be in conformity with existing treaties.

I offer you the renewed assurances of my respect,

And I pray God to preserve you.

(Signed) JOSE MASOT.

To major W. Young.

True copies of the letter and documents deposited in the archives of this command. Pensacola, 2d May, 1818.

(In the absence of the secretary, by indisposition,)

A true copy. (Signed) BUENAVENTURA DUBRESCIE.

(Translated copy.)

It having come to my knowledge, that you have passed the frontiers, with the troops under your command, and that you are within the province of West Florida, which is subject to my government, I solemnly protest against this procedure, as an offence towards my sovereign, exhorting you, and requiring of you in his name, to retire from it, as, if you do not, and continue your aggressions, I shall repel force by force.

The consequence in this case, will, doubtless, be the effusion of blood, and also an interruption of the harmony, which has hitherto reigned between our respective nations; but, as the repeller of an insult, has never been deemed the aggressor, you will be responsible, both to God and man, for all the fatal consequences which may result.

God preserve you many years.

[Signed] JOSE MASOT.

Pensacola, 24th May, 1818.

The Commander of the American troops.

A copy of this protest was addressed to general Andrew Jackson, and sent by a spanish officer, meeting the American army, shortly after it had passed the Escambia river.

[Signed] J. GADSDEN.

Aid de Camp.

(Translated copy.)

Most Excellent Sir,

I received, at ten o'clock this morning, the two communications of your excellency of the 23d and of this day.

As I have, in mine of the 18th instant, satisfactorily answered all the charges your excellency alleges in the former, I shall only add, with respect to the Indians, that I notice your excellency is greatly misinformed, as the circumstances to which you refer, are, for the most part, unfounded; in proof of which, I will state, that the only two Indians I have found, since the peace negotiated by me, and the delivery of the eighty-seven to major Young, are two who are in the prison, with three women and children. I ought to inform you, that, long before the movements of your excellency, I had given orders at Apalache, that the Seminole Indians should not be succoured; and even had placards posted up in Pensacola, for the same purpose; passing over, without notice, only some unfortunate beings, who, from time immemorial, had furnished the people with wood, as I have stated.

Your excellency lays to my charge the blood which may be shed by my refusal to deliver up the province, as your excellency requests, which I shall never do, nor can I, without covering myself with dishonor, at the close of my life, and of my long military career. I am firmly persuaded your excellency would, in my case, do the same, as you would not venture to stain the honorable laurels with which you are adorned.

No nation, whatever may be its motives, can violate the territory of another, especially, when no demands have previously been made of its government.

Your excellency has violated the Spanish territory in Apalache, by taking possession of that fort, and pulling down its flag, when you could have adopted more conciliatory measures, which would,

more and more, have cemented and strengthened the good understanding subsisting between our respective governments.

On the 21st of the present month, by your excellency's order, Don Pedro Philibert, and other inhabitants, remained prisoners in their houses, on their parole of honor. To-day, at 11 o'clock, before captain Gadsden arrived at Pensacola, your excellency's army entered, and made prisoners on parole, Don Pedro de Alba, the interpreter, who translated your before named communications, and who is the bearer of these, and I believe, all the military; and, of course break up the seven posts (puntos,) stationed with the same number of officers and two chiefs, for the maintenance of the tranquillity of the place.

These facts being incontrovertible, I ask, who but your excellency will be responsible for the blood that may be shed? as you declare in your letter, that you are about to take possession of Pensacalo and Barancas. I protest, before God and man, that my conduct is blameless, and that my ardent desires are, as they ever have been, to contribute to the peace and tranquillity of our respective nations; for, besides the sincerity of my intentions, I have in view the message of the President to the Congress of the United States, on the 25th of March last; and its tenor assures me that no aggressions were to be expected from the troops of the said States: Such, however, this province has unfortunately suffered, from the opperations of your excellency, in Apalache and Pensacola.

I expect from the generosity of your excellency, first, that you will set the officers and troops that garrisoned Pensacola, at liberty; and that, after supplying your army with provisions, you will shortly evacuate the territory of this province, and not carry on a partial war against West Florida, at a time when our nations are in profound peace.

Lieutenant colonel Don Lui Piemas, temporary commandant of Pensacola, is duly authorized to exercise my functions, and to receive the communications of your excellency which he will faithfully remit to me, and to which I will give the promptest answers, to be transmitted to you through the bearer of this, the interpreter, Don Pedro de Alba. Finally, if contrary to my hopes your excellency should persist in your intention to occupy this fortress, which I am resolved to defend to the last extremity, I shall repel force by force, and he who resists aggressions, can never be considered an aggressor.

God preserve your excellency many years,

JOSE MASOT.

Fortress of St. Charles of Barancas,

24th May, 1818.

His excellency A. Jackson,

Maj. Gen. Comdg. Army, U. S.

(Copy and translated copy.)

Proposals which the civil and military commandant of the province of West Florida, makes to his excellency Andrew Jackson, general in chief of the American army, before the fort San Carlos de Barancas.

1. The fort of Barancas will be delivered to the troops of the United States under the following conditions:

Approved, with the exceptions made opposite to each article, and possession given at one o'clock, past morning, this day.

2. The garrison of the fort of Barancas will march out to be transported to the Havanna on the day and hour which shall be agreed upon with all the honors of war; drums beating; with arms and baggage. Those employed in the royal finance, and others attached to this department, shall also be transported to the same port.

A roster to be furnished of all the military and civil officers of the garrison of Fort Barancas. The troops to march out as expressed in this article: their arms to be stacked at the fort of the Glacis and left in possession of the American army, until the day of embarkation, when they will be restored.

3. The commandant of the province, the officers of his staff, of the artillery and engineers; the officers and troops shall carry with them, their arms and personal effects, and shall also have the liberty of disposing of their property of every kind, with perfect security to the purchasers.

All titles for property legally derived from the crown of Spain, will be respected.

4. The garrison shall be embarked on account of the United States. Every person of the military class, or of the royal finance, shall receive, during the passage, such rations, as are allowed to every grade, by the regulations of Spain.

Approved, so far as relates to the transportation of the garrison, and the Spanish rations allowed, provided they do not exceed the American ration, in which case the American ration only will be allowed.

5. A competent number of vessels shall be furnished, for embarking the personal effects, papers, and other property, belonging to the commandant, officers, and others in the royal employ, and particularly, the papers of the Secretary's office, of the government, which are in Pensacola, those of

Approved. An estimate of the necessary transportation to be furnished agreea bly to established usage.

the department of the royal finance, and of the civil and military employs. These papers shall not be subjected to any inspection, or recognizance, under the pledge of their containing nothing foreign to the functions of the said persons.

Approved.

6. The sick, wounded, and all those who are now, or may fall sick, previous to the embarkation of the troops for the Havanna, shall be maintained by the government of the United States, until cured, and shall have the same privileges as the rest of the garrison: those who are in a situation shall be embarked at the same time with it, and all shall be under the care of, and attended by the surgeon, and other individuals of the Spanish military hospital.

Approved. An estimate of the necessary transportation to be furnished, and included in the estimate, for the garrison of fort Barancas.

7. The garrison of Pensacola, and the prisoners, as also those in the employ of the royal finance, shall enjoy the same privileges as the garrison of Barancas, and shall likewise be transported to the Havanna, uniting the former to the latter, and all shall remain in the quarters they occupied in Pensacola, until the moment of embarkation for the port of Havanna.

An inventory of the provisions in possession of the Spanish commissary, to be forthwith furnished. The rations allowed, subject to the limitation in the 4th article.

8. During their stay, the United States will furnish to the king's storekeeper, under document from the royal officers, such articles of provisions as may be deficient or not in the king's stores, to complete the rations of the troops, dependants, those in the king's employ, and their respective families, according to the allowance made by the regulations of Spain; the reimbursement thereof, remaining subject to the decision of the governments of Spain and the United States.

Approved.

9. The provisions actually existing in the king's stores of Pensacola and Barancas, shall be transported to the former, in order that they may serve for the said supply of rations.

Approved. Major Peters of the artillery, appointed on the part of the American government.

10. An inventory and a duplicate thereof, shall be made by the military store keeper, and such officer of artillery, as the commandant of this corps may name, and such other as may be appointed by the general of the troops of the United States, of the artillery, powder, military stores, and other effects belonging to this department, in Pensacola and Barancas.

All titles legally derived from the crown of Spain, prior to this date, guaranteed and respected.

11. Persons and property shall be respected: concessions and sales of land made by the competent authorities, shall be valid and guaranteed by the American government, at whatever time they may have been made, and until the date hereof.

Approved, and lieutenant Sands, of the artillery, appointed on the part of the American government.

12. The commandant of engineers shall name an officer, who, with another, whom the general of the American army may appoint, shall make an inventory and a duplicate thereof, of the number and state of the royal edifices in the same manner as is stated, for the department of artillery.

Inadmissible, so far as it regards transportation being allowed to the families of those officers not present, and servants not attending upon the persons of the officers and their families. Those individuals disposed to remain in Florida, will be respected, and protected in all civil and personal rights; and if not embracing the transportation, allowed at the present period, they must furnish their own at a future period.

13. The military officers, and those in the service of all, and the several departments, may embark with them, their wives, children, and servants, in which number are to be included the families of those of the said classes who may be absent. Those who have property to dispose of, or affairs to settle, may remain the time necessary for these purposes. The American authority shall afford them every protection during their stay, and

Approved, and lieutenant Parkhurst, quartermaster of artillery, appointed on the part of the American government.

Approved.

Approved: his name to be entered in an article, and the Spanish government guaranteeing, that he never returns to the Floridas.

A free toleration to all religions guranteed.

Approved: And the restoration made under the conditions expressed in general Jackson's communication to the governor of Pensacola, the 23d of May.

The above articles interpreted agreeably to their literal and expressed meaning.

Approved.

they shall enjoy the same privilege as the rest of the garrison, and be transported to the Havanna, on account of the United States.

14. The store keeper, shall form an inventory of the small vessels and craft, and of the other effects under his charge, in the same way as stated for the department of artillery.

15. The officers and troops of this garrison, with their equipage, shall be transported to Pensacola, where they shall remain, as already stated, until embarked for the Havanna.

17. The Alabama chief, with his family, now in this fort, and who has been reported to major Young, shall be included in this capitulation, and transported to the Havanna.

18. The catholic religion shall be maintained, with its ministers, and free exercise.

19. This capitulation is made under the confidence, that the general of the American troops, will comply with his offer of returning integral this province, in the state in which he receives it, asexplained in his official letters.

20. If any doubt should arise as to the meaning of the articles of this capitulation, they shall be construed in the manner most favorable to the Spanish garrison.

21. The present capitulation shall be signed, and exchanged by the general of the American army, and the commandant of this province, as soon as possible, and at latest by five o'clock in the afternoon; each party respectively being in the possession of an original.

Camp, near fort Barancas, May 28, 1818.
[Signed]
ANDREW JACKSON,
Maj. gen. commanding.

Fort of San Carlos de Barancas, 28th May, 7 o'clock in the morning.
[Signed] JOSE MASOT.

Additional articles, which are to have the same force as the primary, and which extend to the fulfilment of what has been agreed upon.

Approved.

1. The name required of the Alabama chief is Opayhola. The commandant of this province engages in the name of his government, that the said chief shall never return to the Floridas.

Approved.

2. If any vessels of war of his catholic majesty, destined for this port, should arrive with a supply of provisions or money, they shall be freely admitted, as well as Spanish merchant vessels.

Camp near fort Baranças, May 28, 1818.
[Signed]
ANDREW JACKSON,
Maj. gen. commanding.

San Carlos de Barancas, 28th May, 1818, 5 o'clock, in the afternoon.
[Signed] JOSE MASOT.

Minutes of the proceedings of a special court, organized agreeably to the following order, viz:

Head Quarters, division of the South,
Adjt. gen's. office, fort St. Marks,
April 26, 1818.

GENERAL ORDER.

The following detail will compose a special court, to convene at this post, at the hour of 12 o'clock, A. M. for the purpose of in-

vestigating the charges exhibited against A. Arbuthnot, Robert Christy Ambrister, and such others, who are similarly situated, as may be brought before it.

The court will record all the documents and testimony in the several cases, and their opinion as to the guilt or innocence of the prisoners, and what punishment (if any) should be inflicted.

DETAIL,

Major general E. P. GAINES, *President.*

Members,

Colonel King, 4th infantry,
Colonel Williams, Ten. vol.
Lieut. col. Gibson, Ten. vol.
Major Muhlenberg, 4th infantry,
Major Montgomery, 7th infantry,
Capt. Vashan 7th infantry,
Col. Dyer, Ten. vol.
Lieut. col. Lindsay, Corps Art'y.
Lieut. col. Elliott, Ten. vol.
Major Fanning, Corps Art'y.
Major Minton, Geo. militia,
Capt. Crittenden, Ky. vol.
Lieut. J. M. Glassel, 7th infantry, *Recorder.*

An orderly will be detailed from gen. Gaines' brigade, and the court will sit without regard to hours.

By order of maj. gen. Jackson,

(Signed) ROBERT BUTLER,
Adjutant General.

Fort St. Marks, April 26, 1818.

The court convened, pursuant to the foregoing order, when being duly sworn in the presence of the prisoner, and he being asked if he had any objections to any member thereof, and replying in the negative, the following charges and specifications were read, viz:

Charges *vs.* A. Arbuthnot, now in custody, and who says he is a British subject.

Charge 1. Exciting and stirring up the Creek Indians to war against the United States and her citizens, he, A. Arbuthnot, being a subject of Great Britain, with whom the United States are at peace.

Specification. That the said A. Arbuthnot, between the months of April and July, or some time in June, 1817, wrote a letter to the Little Prince, exhorting and advising him not to comply with the treaty of Fort Jackson, stating, that the citizens of the United States were infringing on the treaty of Ghent, and as he believed, without the knowledge of the chief magistrate of the United States, and advising the Upper and Lower Creeks to unite and be friendly, stating, that William Hambly was the cause of their disputes; also, advising the Little Prince, to write to the governor of New Providence, who would write to his royal highness, the Prince Regent, through whom the United States would be called to a compliance with the treaty of Ghent, and advising them not to give up their lands, under the treaty of Fort Jackson, for that the American citizens would be compelled to give up to them, all their lands, under the treaty of Ghent.

Charge 2. Acting as a spy, and aiding, abetting, and comforting the enemy, supplying them with the means of war.

Specification 1. In writing a letter from St. Marks fort, dated April 2, 1818, to his son, John, at Suwany, (marked A) detailing the advance of the army, under gen. Jackson, stating their force, probable movements and intentions, to be communicated to Bowlegs, the chief of the Suwany towns, for his government.

Specification 2. In writing the letters (marked B) without date; and (C) with enclosures, January 27, 1818; and (D) called "a note of Indian talks;" and (E) without date, applying to the Britith government, through governor Cameron, for munitions of war and assistance for our enemies; making false representations, and also, applying to Mr. Bagott, British ambassador, for his interference, with a statement on the back of one of the letters, of munitions of war, for the enemy.

Charge 3. Exciting the Indians to murder and destroy William Hambly and Edmund Doyle, and causing their arrest, with a view to their condemnation to death, and the seizure of their property, on account of their active and zealous exertions to maintain peace between Spain, the United States, and the Indians, they being citizens of the Spanish government.

Specification 1. In writing the letters (marked F) dated August 26, 1817; (G) dated May 13, 1817; and (H) threatening them with death, alledging against them, false and infamous charges, and using every means in his power to procure their arrest, all which writings and sayings, excited, and had a tendency to excite, the negroes and Indians to acts of hostilities with the United States.

By order of the court.

(Signed) J. M. GLASSELL,

Recorder.

To which charges and specifications, the prisoner pleaded *not guilty*.

The prisoner having made application for counsel, it was granted him, when the court proceeded to the examination of the evidence.

John Winslett, a witness on the part of the prosecution, being duly sworn, stated, that some time before last July, the Little Prince received a letter, signed by a Mr. Arbuthnot, advising the upper part of the nation to unite with the lower chiefs in amity, and stating the best mode for them to reposssess themselves of their lands, would be, to write to him, (Arbuthnot) and he would send on their complaints to the governor of Providence, whence it would be forwarded to his Britannic majesty, and he would have the terms of the treaty of Ghent attended to; he moreover, stated his belief that the encroachments on the Indian lands, were unknown to the President of the United States. The witness also identified the signature of the letter of the prisoner to his son, (marked A) and referred to in the first specification to the second charge, and heretofore noted as being the same with that sent to the Little Prince.

The witness, on being further interrogated, stated the language of the letter alluded to, to be, that the British goverment, on application, would cause to be restored to them their lands they held in 1811, agreeably to the terms of the treaty of Ghent.

Question by the Prisoner. Who is the Little Prince, or is he known by any other name?

Answer. He is known by the name of Tustenukkee Hopin, and is the second chief of the nation.

Question by the Prisoner. Where is the letter you allude to, or in whose possession?

Answer. It was left in the possession of the Little Prince, when I last saw it.

Question by the Prisoner. Has this Little Prince no other name than what you state?

Answer. Not that I know of.

Question by the Prisoner. Do you swear that the letter alluded to was addressed to the Little Prince?

Answer. I do not. It was presented me by the Little Prince to read and interpret for him, which I did.

Question by the Prisoner. Are you certain that the letter stated that the chief magistrate of the United States could have had no knowledge of settlements made on Indian lands, or injuries committed?

Answer. The letter stated that to be the belief of the writer.

John Lewis Phenix, a witness on the part of the prosecution, being duly sworn, stated, with regard to the 1st specification of the 2d charge, that being at Suwany, in the town, about the 6th or 7th of April, he was awakened early in the morning by Mr. Armbrister's received, by the hands of a negro, who got it from an Indian, a letter from St. Marks, at that time stated by Ambrister to be from the prisoner.

Question by the Prisoner. Did you see that letter, or hear it read?

Answer. I did see the paper, but did not hear it read.

Question by the Prisoner. Did you state that the letter was received by an Indian express?

Answer. So the black man that delivered it said.

A question being raised by a member of the court as to their jurisdiction on the 3d charge and its specification, the doors were closed, and after mature deliberation, they decided that this court are incompetent to take cognizance of the offences alleged in that charge and specification.

Peter B. Cook, a former clerk to the prisoner, and a witness on the part of the prosecution, being duly sworn, stated, that about December or January last, the prisoner had a large quantity of powder and lead brought to Suwany in his vessel, which he sold to the Indians and negroes; that subsequent to that time, which he cannot recollect, Ambrister brought for the prisoner in his (the prisoner's) vessel, nine kegs of powder, and a large quantity of lead, which was taken possession of by the negroes. The witness also identified to the following letters referred to in the foregoing charges and specifications marked A. B. C. D. E. F. G. & H. as being the prisoner's handwriting; also the power of attorney, No. 1, granted by the Indians to A. Arbuthnot.

A.

From A. Arbuthnot to his son, John Arbuthnot.

Fort St. Marks, 2d April, 1818.

9 *o'clock in the Morning.*

DEAR JOHN,

As I am ill able to write a long letter, it is necessary to be brief: before my arrival here, the commandant had received an express from the governor of Pensacola, informing him of a large embarkation of troops, &c. under the immediate command of general Jackson, and the boat that brought the despatch, reckoned eighteen sail of vessels off Appalachacola. By a deserter that was brought here by the Indians, the commandant was informed that 3000 men, under the orders of general Jackson; 1000 foot and 1600 horse, under general Gaines; 500 under another general, were at Prospect Bluff, where they are rebuilding the burnt fort; that 1000 Indians of different nations, were at Spanish Bluff, building another fort, under the directions of American officers; that so soon as these forts were built, they intended to march. They have commenced. Yesterday morning advice was received that they had appeared near —— and taken two of the sons of M'Queen, and an Indian; late in the afternoon, three schooners came to anchor at the mouth of the river, and this morning the American flag is seen flying on the largest.

I am blocked here, no Indians will come with me; and I am now suffering from the fatigue of coming here alone.

The main drift of the Americans is to destroy the black population at Suwany. Tell my friend Boleck, that it is throwing away his people to attempt to resist such a powerful force as will be down on Sahwahnee, and as the troops advance by land, so will the vessels by sea. Endeavor to get all the goods over the river in a place of security, as also the skins of all sorts; the corn must be left to its fate. So soon as the Sahwahnee is destroyed, I expect the Americans will be satisfied and retire; this is only my opinion, but I think it is conformable to the demand made by general Gaines, of king Hatchy, some months since; in fact, do all you can, to save all you can; save the books particularly. It is probable the commandant will receive some communication from the vessels to-day, when he will know more certain what are their motives in coming off the fort. I think it is only to shut up the passage to the Indians. Twenty canoes went down yesterday, and were forced to return. The road between this and Mickasuky is said to be stopped. Hillisajo and Himatklo Mico were here last night, to hear what vessels. They will remove all their cattle and effects across St. Mark's river this morning, and perhaps wait near thereto for the event.

I have been as brief as I can, to give you the substance of what appears facts, that cannot be doubted; to enter into details in the present moment, is useless; if the schooner is returned, get all the goods on board of her and let her start off for Mounater creek, in the bottom of Cedar Key bay. You will there only have the skins to hide away. But no delay must take place, as the vessels will no doubt, follow the land army, and perhaps even now, some have gone round. I pray your strictest attention, for the more that is saved, will be eventually more to your interest. Let the bearer have as much calico, as will make him two shirts, for his trouble. He has promised to deliver this in three, but I give him four days.

I am yours, affectionately,

(Signed) A. ARBUTHNOT.

B

From A. Arbuthnot, to Charles Cameron, Governor Bahamas.

SIR,

Being empowered by the chiefs of the Lower Creek nation, to represent the state of their nation to your excellency, that you may be pleased to forward the same for the information of his majesty's government, to whom alone they look for protection, against the aggressions and encroachments of the Americans, I beg leave to submit to your excellency, the

enclosed representations, humbly praying that your excellency will be pleased to take an early opportunity of forwarding the same to Great Britain.

I am also instructed by Bowleck, chief of the Sahwahnee, to make the demand herein enclosed, he never having had any share of the presents distributed at Prospect Bluff, though he rendered equally essential services, as any of the other chiefs, to the British cause, while at war with America; and was at New Orleans with a parts of his warriors, his frontiers being more exposed to the predatory incursions of the back Georgians, who enter his territory and drive off his cattle; he is obliged to have large parties out to watch their motions, and prevent their plundering; and being now deficient of ammunition, he prays your excellency will grant his small demand. Humbly submitting the same.

I have the honor to be your excellency's
Most humble servant,

(Signed) A. A.

The humble representations of the Chiefs of the Creek Nation.

To his His Excellency Governor Cameron.

First, we beg leave to represent that Edmund Doyle and William Hambly, lately clerks at Prospect Bluff, to Messrs Forbes, &c. and who still reside on the Appalachicola river, we consider as the principal cause of our present troubles, and uneasiness. Hambly was the instrumental cause of the fort at Prospect Bluff being destroyed by the Americans, by which we lost the supplies intended for our future wars; since then both these men have kept their emissaries among us, tending to harrass and disturb our repose, and that of our bretheren of the middle and upper nation; they spread among us reports that the Coweateis, aided by the Americans, are descending to drive us off our land, they equally propogate false.

C

From A. Arbuthnot, to Benjamin Moodie, Esq. enclosing letters to Charles Baggott, Esq. British Minister at Washington.

Sahwahnee, in the Creek Nation,
27th January, 1818.

SIR,

The enclosed, containing matter of serious noment and demanding the immediate attention of his excellency the British ambassador, I trust

he will, for this time forgive the trifling expense of postage, which I have endeavored to prevent as much as possible, by comprising *much matter* in one sheet of paper. Should you, sir, be put to any trouble or expense by this *trouble* I give you, by being made acquainted with the same, I will instruct Bain Dunshee, & Co. to order payment of the same.

I have the honor to be, sir,

Your most obedient humble servant,

(Signed) A. ARBUTHNOT.

From A. Arbuthnot to the hon. Charles Baggott.

SIR,

It is with pain I again obtrude myself upon your excellency's notice, but the pressing solicitations of the chiefs of the Creek nation, and the deplorable situation in which they are placed, by the wanton aggressions of the Americans, I trust your excellency will take as a sufficient apology for the present intrusion.

In August last, the head chief of the Seminole Indians, received a letter from general Gaines, of which I have taken the liberty of annexing to your excellency the contents, as delivered me by the chiefs head English interpreter, with king Hahhy's reply thereto.

This letter appears to have been intended to sound the disposition of the chief, and ascertain the force necessary to overrun the nation, for from then, until the actual attack was made on Fowl town, the same general with general Jackson, seem to have been collecting troops, and settling in various quarters.

If your excellency desire to have further information, respecting the situation of this country and its inhabitants, I can, from time to time, inform your excellency of such facts and circumstances, as are stated to me, by chiefs of known veracity, or which may come under my own observation; and your excellency's order, addressed to me at New Providence, will either find me there, or be forwarded me to this country.

With great respect I have the honor to be,

Your excellency's most obedient servant,

(Signed) A. A.

The following memorandum was on the back of the foregoing letter:

King Hihhy 1000, Boleck 1500, Oso Hatjo Choctawhachy 500, Himashy Miso Chattehichy 500, at present with Hillisajo. At present under arms 1000 and more—and attacking those Americans who have made inroads on their territory.

A quantity of gunpowder, lead, muskets and flints, sufficient to arm one thousand or two thousand men.

Muskets 1000, arms smaller if possible.
10,000 flints, a proportion for rifle put up separate.
50 casks gunpowder, a proportion for rifle.
2,000 knives, six to nine inch blade, good quality.
1,000 tomahawks—100 lbs. vermillion.
2,000 lbs. lead, independent of ball for musket.

(Signed) KING HAHHY.
BOLECK.

From General Gaines to the Seminoly Chief.

To the Seminoly Chief,

Your Seminoly's are very bad people; I don't say whom; you have murdered many of my people, and stolen my cattle, and many good horses, that cost me money; and many good houses that cost me money, you have burnt for me; and now that you see my writing, you will think I have spoken right. I know it is so, you know it is so, for now you may say I will go upon you at random; but just give me the murderers, and I will show them my law, and when that is finished and past, if you will come about any of my people, you will see your friends, and if you see me, you will see your friend. But there is something out in the sea, a bird with a forked tongue, whip him back before he lands, for he will be the ruin of you, yet perhaps you do not know who or what I mean—I mean the name of Englishman.

I tell you this, that if you do not give me up the murderes who have murdered my people, I say I have got good strong warriors, with scalping knives and tomahawks. You harbour a great many of my black people among you, at Sahwahnee. If you give me leave to go by you, against them, I shall not hurt any thing belonging to you.

(Signed) GENERAL GAINES.

From King Hatchy to General Gaines, in answer to the foregoing.

To General Gaines,

You charge me with killing your people, stealing your cattle, and burning your houses. It is I that have cause to complain of the Americans. While one American has been justly killed, while in the act of stealing cattle, more than four Indians have been murdered while hunting, by these lawless freebooters. I harbor no negroes. When the Englishmen were at war with America, some took shelter among them, and it is for you white people to settle those things among yourselves, and not trouble us with what we know nothing about. I shall use force to stop any armed Americans from passing my towns or my lands.

(Signed) KING HATCHY.

D.

"Note of Indian talks."

In August, Capp had a letter from general Gaines, in substance as annexed, No. 1; and returned the answer as by No. 2. Nothing further was said on either side. The end of October, a party of Americans from a fort on Flint river, surrounded Fowl Town, during the night, and began burning it; the Indians then in it, fled to the swamp, and in their flight had three persons killed by fire from the Americans; they rallied their people and forced the Americans to retire some distance, but not before they had two more persons killed. The Americans built a blockhouse, or fort, where they had fallen back to, and immediately sent to the fort up the country for assistance, stating the Indians were the aggressors, and also settled with Inhemochlo for the loss his peoole had suffered; at the same time, sending a talk to king Hatchy, by a head man, Aping, that he would put things in such a train as to prevent further encroachments, and get those Americans to leave the fort. But no sooner was the good talk given, and before the bearer of it returned home, than hundreds of Americans came pouring down on the Indians, roused them to a sense of their own danger; they flew to arms, and have been compelled to support them ever since. It is not alone from the country, but by vessels entering Appalachicola river, in vessels, with troops; and settlers are pouring into the Indian territory, and if permitted to continue, will soon overrun

the whole of the Indian lands. From the talk sent king Hatchy, by governor Mitchell, I am in hopes that those aggressions of the Americans on the Indian territory, are not countenanced by the American government, but originate with men devoid of principle, who set laws and instructions at defiance, and stick at no cruelty and oppressions to obtain their ends. Against such oppressions the American government must use not only all their influence, but if necessary, force, or their names will be handed down to posterity, as a nation more cruel and savage to the unfortunate aborigines of this country, than ever were the Spaniards, in more dark ages to the nations of South America.

The English government, as the special protectors of the Indian nations, and on whom alone they rely for assistance, ought to step forward and save those unfortunate people from ruin; and as you, Sir, are appointed to watch over their interests, it is my duty as an Englishman, and the only one in this part of the Indian nation, to instruct you of the talks the chiefs bring me for your information, and I sincerely trust, Sir, you will use the powers you are vested with for the service and protection of those unfortunate people who look up to you as their saviour. I have written general Mitchell, who I heard is an excellent man, and as he acts as Indian agent, I hope his influence will stop the torrent of innovators and give peace and quietness to the Creek nation.

I pray your excellency will pardon this intrusion, which nothing but the urgency of the case would have induced me to make.

I have the honor to be,

Your Excellency's most obedient serv't.

(Signed) A. A.

E.

From Chippichimicco and Bowleck, to Governor Cameron.

To his Excellency Govenor Cameron.

It is with pain we are again obliged to obtrude ourselves in your excellency's notice, in consequence of the cruel war we have been forced into, by the irruptions of the Americans, into the heart of our lands. It will be first necessary to state to your excellency, that one

head chief, Kinghijah, received a letter from general Gaines in August last, a copy of what is enclosed, with the answer returned thereto. This lettter only appears to have been a prelude to plans, determined on by the said general and general Jackson; to bring on troops and settlers to drive us from our lands, and take possession of them; for in the end of October, a party of Americans surrounded Fowl Town during the night, and in the morning began setting fire to it; making the unfortunate inhabitants fly to the swamp, and who in their flight, had three persons killed by the fire of the Americans. Our Indians rallying, drove the Americans from the town, but in their exertions, had two more of their people killed. The Americans retired some distance, and built a fort or block house to protect themselves, until the assistance they had sent for to the fort, up the country, should arrive. A letter falling into the hands of general Mitchell, the Indian agent, which states the Indians to have been the aggressors; he suspected its truth, and on inquiry, found it was the reverse; in consequence, he made satisfaction to Inhenmothlo, the chief of Fowl Town and his people, for the injuries they had sustained; at the same time desired a talk to be sent to ous head chiefs, stating his wish to see all the Indians friends, and that in twenty days, he would send and get the Americans to retire from the forts. But this had no effect on the lawless invaders of our soil, for before the bearer of our talks could return home, he met hundreds of Americans descending on us; they have also settlers and troops which come from Mobile, and go up the Appalachicola river; thus seeing no end to those inroads, necessity compels us to have recouse to arms, and our brethren are now fighting for the lands they inherited from their forefathers, for their families and friends. But what will our exertions do without assistance; our sinews of war are almost spent; and harrassed, as we have been for years, we have not been able to lay by the means for our extraordinary wants, and to whom can we look up to for protection and support, but to those friends who have at all former times held forth their hands to uphold us, and who have sworn in their late treaty with the Americans, to see our just rights and privileges respected and protected from insult and aggression? We now call on your excellency, as the representative of our good father, King George, to send us such aid in ammunition, as we are absolutely in want of; and as our brother chief, Hillisajo, was informed, when in England, that when ammunition was wanting to enable us to protect our just rights, that your excellency would supply us with what was necessary. We have applied to the Spanish officer at the fort of St. Marks; but his small supply prevented his being able to assist us, and we have only on your excellency to depend. We likewise pray your excellency would be pleased to send an officer or person to lead us right, and to apportion the supplies you may be pleased to send us, agreeably to our proper wants.

In praying your excellency will lend an ear to our demand, and despatch it without delay,

We remain your excellency's faithful,

And most obedient friend and servant,

[Signed] CAPPACHEMICCO,
BOLECK.

For ourselves, and all the other Chiefs of the lower Creek Nation.

F.

Letter from A. Arbuthnot to col. Edward Nicholls.

Nassau, N. P. 26th August, 1817.

SIR,

Especially authorized by the chiefs of the lower Creek nation, whose names I affix to the present, I am desired to address you, that you may lay their complaint before his majesty's government. They desire it to be made known, that they have implicitly followed your advice in living friendly with the Americans, who are their neighbors, and nowise attempt to molest them, though they have seen the Americans encroach on their territory, burning their towns, and making fields where their houses stood. Rather than make resistance, they have retired lower in the peninsula. The town, Eahallaway, where Olis Micco was chief, is one instance of the encroachments of the Americans; this town was situated under the guns of fort Gaines, and Micco was desired to submit to the Americans, or his town would be blown to atoms; rather than do so, he retired, and is now living in the lower nation, and his fields, and even where the town stood, is ploughed up by the Americans. They complain of the English government neglecting them, after having drawn them into a war with America; that you, sir, have not kept your promise, in sending people to reside among them; and that if they have not some person or persons, resident in the nation to watch over their interest, they will soon be driven to the extremity of the peninsula. You left

Mr. Hambly, to watch over the interest of the Creek nation; but you hardly left the nation, when he turned traitor, and was led by Forbes to take the part of the Americans; his letter to me, of which I annex you a copy, will show you what length he could go, if he had the means. It is Hambly and Doyle, who give the Indians all the trouble they experience; they send their emissaries among the lower Creeks, and make them believe the Cowhellas, aided by the Americans, are coming to destroy them; thus both are put in fear, and their fields is neglected, and hunting is not thought of. I have endeavored to do away this fear, by writing the chief of the Cowhetta towns, that they ought to live on friendly terms, with their brethren of the lower nation, whose wishes were to be on good terms with them, and not to listen to any bad talks, but to chase those, that give them, from among them. My letter was answered from them rather favorably, and I hope the talk that was sent to the big warrior last June, will heal the difference between them.

Hillisajo arrived in my schooner at Ocklocknee sound last June, and was well received by all the chiefs, and others who came to welcome him home. In consequence of his arrival, a talk was held, the substance of which put on paper for them, and it was sent with a pipe of peace to the other nations. Hillisajo wished to return to Nassau with me, but I prevailed on him to stay in the nation and keep them at peace. I regret, Sir, to notice, this poor man's affairs; though by his desire, it appeared that he arrived at Nassau a short time after I had left it in January, and captain W. being here, took charge of him, his goods, and money, prevailing on the governor to let him stay with him until he went down to the nation, which was his intention to do. Of the money received of governor Cameron, he had only given him eighty dollars, by captain W., a barrel of sugar, a bag of coffee, and a small keg of rum; and the interpreter, Thugart, informed me, that when Hillisajo asked for an account, captain W. refused it, saying it would be useless to a man who could not read. He also misses two cases, one of which he thinks contains crockery; I have made inquiry of his majesty's ordnance store keeper, and he informs me the whole were delivered to captain W.; they are therefore lost to Hillisajo.

I am desired to return Hillisajo's warmest acknowledgements for the very handsome manner you treated him in England, and he begs his prayer may be laid at the foot of his royal highness, the prince regent. I left him and all his family well, on the twentieth of June. Old Cappachimicco desires me to send his respects, and requests that you will send out some people to live among them, and all the land they took from Forbes, shall be theirs. At all events they must have an agent among them, to see that the Americans adhere to the treaty, and permit them to live unmolested on their own lands. This agent should be authorized by his majesty's government, or he will not be attended to by the Americans. In the gazettes of Georgia, the Americans report the Seminole Indians are continually commit-

ting murders on their borders, and making incursions into the state. These are fabrications tending to irritate the American government against the poor Indians; for during the time I was in the nation, there was only one American killed, and he, with two others, were in the act of driving off cattle, belonging to Boleg, chief of Suwany, whereas three men and a boy were killed last June, by a party of American cattle-stealers, while in their hunting camps; the boy they scalped, and one of Boleg's head men was killed in St. John's river, in July. The backwood Georgians, and those resident on the borders of the Indian nation, are continually entering it, and driving off cattle. They have in some instances made settlements, and particularly on the Choctohacky river, where a considerable number have descended.

By the treaty with Great Britain, the Americans were to give up to the Indians, all the lands that may have been taken from them during the war, and place them on the same footing they were in 1811. It appears that they have not done so; that Fort Gaines on the Chatahoochy, and camp Crawford on the Flint river, are both on Indian territory that was not in possession of America, in 1811. They are fearful that before any aid is given by the English government, they will be no longer in possession of any territory.

I wrote last January to his excellency the Hon. Charles Baggott, respecting the encroachments of the Americans; as I was informed by the copy of a letter from the right honorable earl Bathurst, handed me by his excellency governor Cameron, that his majesty's ambassador had received orders to watch over the interest of the Indians. Since my return here, I have received of Mr. Moodie, of Charleston, an extract of a letter from the honorable Charles Baggott, that the expense of postage is so considerable, any further communications of the same nature, must be sent him by private hands. Now, sir, as no person goes from this direct to Washington, how am I to be able to comply with his desire? Thus he will be kept ignorant of the situation of the poor Indians, on the encroachments daily made on their lands by American settlers, while he may be told by the American government that no encroachments have been made, and that the forts they still hold, are necessary to check the unruly Seminoles. Thus the person appointed to watch over the interest of the Indians, having no other means of information, than from the parties interested in their destruction, and seeing from time to time in the American gazettes, accounts of cruel murders, &c. &c. committed by the Indians on the frontier settlements of the United States, he apprehends the Indians merit all the Americans do to them.

But let his majesty's government appoint an agent with full powers to correspond with his majesty's ambassador at Washington, and his eyes will then be opened as to the motives of that influence, American individuals as well as the government, in villifying the Indians. The power given me, and the instructions were, to memorialize his

majesty's government as well as the governor general of Havanna; but if you will be pleased to lay this letter before his majesty's secretary of state, it will save the necessity of the first, and I fear that a memorial to the governor general would be of no use. Referring you to the answer,

I am most respectfully,
Your obedient servant,
[Signed] A. ARBUTHNOT.

Lieut. col. Edward Nicholl.

G.

From A. Arbuthnot to William Hambly.

Ocklocknee Sound, 3d May, 1817.

SIR,

On my return home this day I received a letter, signed by you, and dated 23d March. As you therein take the liberty of advising me *as you say*, by order of the chiefs of the Creek nation, I am glad of, and shall embrace this opening you gave me, and reply to you at some length. And, sir, let me premise, that when you lived at Prospect Bluff, a clerk to Messrs. Forbes & Co. you did not consider Cappachimicco, M'Quin, or any other of the chiefs of the lower Creek nation, as outlaws, nor have they been considered as such by the English government, who are the special protectors of the Indian nation; and it ill becomes Mr. Hambly to call Cappachimicco an outlaw; that man, who has ever been his friend, and by his authority has prolonged his life. Yes, sir, the young chiefs and warriors of the Creek nation, considering you as the chief cause of their troubles will have long ere this had possession of you, and perhaps, with your life, made you pay the forfeit for the injuries heaped on them, had not that man, who has been your friend from your early youth, stepped in as your protector. Yes, this is the man who Mr. Hambly presumes to call an outlaw. A pardoned villain when going to the gallows, would bless the hand that saved his life; but Mr. Hambly blasphemes his saviour.

As Mr. Hambly's generous friend is the principle cause of my being in this country, as an honest man, I shall endeavor to fulfil my promise to him and the other chiefs. The guilty alone have fear; an honest and upright man dreads no dangers, fears no evil, as he commits no ill; and your arm of justice ought to be applied, where it would rightly fall on the heads of the really guilty. Your mean and vile insinuations that has been the cause of thefts and murders, comes ill from he who has been the cause of the murder of hundreds. Though your usage was made villainous at the fort, yet your revenge was too savage and sanguinary. If your conduct, sir, to the Indians, were guided by as pure motives as mine, it would endeavor to influence them, and respect each other as brothers, and live in harmony and friendship, cultivating their lands in summer, and taking their diversions of hunting in winter, respecting their neighbors, and making yourselves respected by them. If thus, sir, you would act, (and by your knowledge of their language, you have much more in your power than any other man,) you would then be the true friend of the Indians. Were I an instigator of theft and murder, would I hold the language I have done, to the chiefs and others who have called on me? Ask the lieutenant commanding at Fort Gaines, if my letter to him breathed the strains of a murderer? Ask Opy Hatchy, or Dany, his interpreter, if the recommendatory note I sent him by order of Apiny, could be written by an instigator of murder? Ask Apiny himself, if my language to him was that of a murderer? Ask Mappalitchy, a chief, residing among the Americans on Oakmulgee, if my language and advice to him, favored that of a murderer? All those, and every Indian who have heard my talks, will contradict your vile assertions.

But Mappalitchy has given me a clue by which I can unravel whence the aspersions comes. Not from Apiny, Hatchy, or any of the chiefs of the upper towns, but from he who endeavors to lead them to mischief and quarrels with each other. Did not the chiefs hear my note read with respect, and perfectly according to my sentiments, of being all as brethren, uniting with bonds of friendship and love? Did not they agree to smoke the pipe of peace, with their brethren of the lower nation, and live in future as brothers? What made some of them alter their minds afterwards? The interference of a humane man, who counsels them to write to me demading my removal from a board of outlaws, and which letter is signed, "*William Hambly*."

I shall only make one more observation, and that will show from whence I came, and whether I come amongst the Indians as a revenger, or as the friend of peace and harmony.

In the spring of 1816, W. Hambly sent governor Cameron a letter containing talks of the chiefs of the Indian nations; they are forwarded to England; and his excellency handed me, on my leaving Providence, an answer thereto from the right honorable earl Bathurst, one of his majesty's chief secretaries of state, that I might

make the same known to the chiefs on my arrival in the nation. What will governor Cameron think of the man, who, in 1816, could write against the encroachments of the Americans on the Indian nation, and in the spring of 1817, call the chiefs of that nation, for whom he more especially wrote, outlaws? Mr. Hambly may sell his services to America, but no man can expatriate himself from that allegiance due to his native country; and a government may call on a friendly nation to give up a subject that has seriously wronged her.

I recommend Mr. Hambly to be content with *Dauceur* he may have received and permit the unlettered Indian to live quietly and peacably on his native land.

I shall send a copy of this letter, with the one from you, to be read by the chiefs of this nation, and shall, at the same time, take an opportunity of expressing myself more fully, than I did in the note sent by Apiny. Wishing you a speedy recantation of your errors, and a return to your former way of thinking,

I am your obedient,

(Signed) A. ARBUTHNOT.

H.

Letter from A. Arbuthnot, to the governor of Havannah.

To his excellency, Don ——,
Governor general, &c. &c.

The chiefs of the Creek nation, whose names are hereunto annexed, beg leave to approach your excellency, and represent their complaints. Long imposed on by the persons keeping stores in this country, in charging us exhorbitant prices for their goods, while they only allow us a very trifling one for our peltry, we have found it necessary to look out for a person that will deal fairly with us, and we wish to establish a store for him on Appalache river; we have made application to the commander of St. Marks, and he refers us to your excellency. It is not alone the impositions that have been practised upon us, that has made us presume to address your excellency, we have complaints of a more serious nature, against the persons employed in the only house that has been established among us. In the first place, some years back, under false pretences, they attempted to rob us of a very large portion of our best lands, and we the more readily acceeded to it, from the faithful promise given us, that they would get English people to settle it, and live among us; but far from doing this, Mr. Forbes attempted to sell it to the American govern-

ment, and settle it with Americans; thus finding ourselves deceived and imposed on, we withdrew our grant about three years since, which, from the stipulations contained therein, not being fulfilled on the part of Mr. Forbes, we conceived we had a right to do. Secondly, Mr. Doyle and Mr. Hambly, the two persons left in the nation to carry on Mr. Forbes' business, have, for more than two years, been endeavoring to influence us to join the Americans, and finding that fair means would not secure us from our attachments to our ancient friends, the English, they have recently had recourse to threats, of bringing the Americans down upon us; and that people only wants a pretext to attack us, which the said Doyle and Hambly attempt to give them, by spreading false reports of our murdering the Americans, stealing their cattle, and preparing for war against them, while in fact, it is the Americans who murder our red brethren, and steal our cattle, by hundreds at a time, and are daily encroaching on our lands, and maintaining the settles in their ill gotten possessions by armed force.

On the Choctawhatchy river, there are a large body of Americans, forming settlements, and more are daily joining them. As this river is far within that line, marked out by your excellency's government, (and the Americans some years since, though that line was unknown to us until very lately, and we never gave our sanction, nor in fact, knew of any sale of our lands, made to the Americans,) we trust your excellency will give orders, to displace them from within the line, and send them back to their own country. Our delaying to address your excelleney, to represent the forementioned grievances, has been owing to the want of a person to attend to our talks, and put them in writing for us. The commander of the fort of St. Marks, has heard all of our talks and complaints. He approves of what we have done, and what we are doing, and it is by his recommendation we have thus presumed to address your excellency.

We have the honor to be,
Your excellency's most obedient,
And very humble servant,
(Signed) A. ARBUTHNOT.

No. 1.

Power of attorney from the Indian Chiefs to A. Arbuthnot.

Know all men by these presents, That we, chiefs of the Creek nation, whose names are affixed to this power, having full faith and confidence in *Alexander Arbuthnot*, of New Providence, who knowing all our talks, is fully acquainted with our intentions and wishes, do hereby by these presents, constitute and appoint him, the said *Alexander Arbuthnot*, our attorney and agent, with full power and author-

ity, to act for us and in our names in all affairs relating to our nation, and also to write such letters and papers, as to him may appear necessary and proper for our, and that of the Creek nation.

Given at Ocklocknee Sound, in the Creek nation. this 17th day of June, one thousand eight hundred and seventeen.

[Signed] 1. Coppachimicca,
2. Inhemothlo ⋈
3. Charle Tustoky ⋈
4. Otus Mico ⋈
5. Ochacone Tustonoky ⋈
6. Imatchlucle ⋈
7. Inhimatchlucle ⋈
8. Lahoe Ihamatchlo ⋈
9. Hourathle Micho ⋈
10. Hillisajo ⋈
11 Tamuches Haho ⋈
12. Oparthlomico ⋈

Witness,

[Signed] PETER SHUGART, *Interpreter.*

Certified explanation of names and towns to which the foregoing chiefs belong, agreeably to the numbers set opposite thereto.

[Signed] "*WILLIAM HAMBLY.*"

1. Kinhigee, chief of Mickasuky.
2. Inhimartlo, chief of Fowl town.
3. Charle Tustonoky, second chief of Oakmulgee town.
4. Chief on the Conholoway, below fort Gaines.
5. Opony, chief of the Oakmulgee towns.
6. Chief of the Atlapalgas.
7. Chief of Pallatchacoley.
8. Chief of the Chehaws.
9. Chief of the Red Stick.
10. Francis (The prophet.)
11. Peter M'Queen, chief of the Tallahasses (an old Red Stick.)
12. A Red Stick, created chief by the lower towns.

Question by the court. Have you at any time within the last twelve months, heard any conversation between the prisoner and the chief called Bolegs, relating to the war between the United States and the Seminoles?

Answer. I heard the prisoner tell Bolegs, that he had sent letters to the prince regent, and expected soon to have an answer.—Some time afterwards, some of the negroes doubted his carrying those letters, when the prisoner stated that he had, but the distance being great, it would take some time to receive an answer.

By the court. State to the court, when, and where, you first saw the letter signed A. Arbuthnot, dated April 2, 1818, referred to in the first specification, and the second charge?

Answer. About the 6th of April, a black man who said he had received it from an Indian, gave it to Mr. Ambrister, whom I saw reading it.

Question by the court. Do you know by what means that letter was conveyed to Suwany?

Answer. I understood by an Indian, who was sent from fort St. Marks.

Question by the court. Who paid the Indian for carrying the letter, referred to in the last interrogatory?

Answer. I do not know.

Question by the court. What steps were taken by the negroes and Indians, on the receipt of the letter?

Answer. They first believed the bearer to be an enemy, and confined him, but learning the contrary began to prepare for the enemy, and the removal of their families and effects across the river: the Indians lived on the opposite side.

Question by the court. Did the Indians and negroes act together in the performance of military duty?

Answer. No. But they always said they would fight together.

Question by the court. Did not Nero command the blacks, and did not Boleg own Nero, and was not the latter under the immediate command of Bolegs?

Answer. Nero commanded the blacks, and was owned and commanded by Bolegs; but there were some negro captains who obeyed none but Nero.

Question by the court. What vessel brought to Suwany the ammunition, which you said was sold by the prisoner to the Indians and negroes?

Answer. The schooner Chance, now lying at this wharf; she is a fore-topsail vessel, belonging to the prisoner.

The witness also identified to the manuscript of the prisoner, on the following documents, viz: No. 1, granting him full power to act in all cases for the Indians, as recorded before, and also a letter without signature, to the governor of St. Augustine, numbered 2; and further, a letter without date to Mr. Mitchell, the Indian agent, numbered 3; an unsigne dpetition of the chiefs of the Lower Creek nation, to governor Cameron, praying his aid in men and munitions of war, numbered 4—all of which the witness stated to be in the hand writing of the prisoner.

No. 2.

Supposed to be for Bolegs to the governor of St. Augustine.

To his excellency Don Jose Copingee.

To his excellency, to James Green governar St. Augustine.

SIR,

I had the honor of receiving your letter of September, but the

imposibility of finding a person to write an answer to the same is the cause of this apparent neglect.

I shall be very happy to keep up a good understanding and correspondence with you, and hope you will, when occasion offers, advise me of such things as may be of service to myself and people. My warriors and others that go to Augustine, return with false reports tending to harrass and distress my people, and preventing them from attending to their usual avocations. At one time the Americans and upper Indians, supported by a force of about 3000 men, were running lines far within the Indian territory; at another time are collecting a force at fort Mitchell in the forks of Flint and Chattahoochy rivers to fall on the towns below. Now sir, we know of no reason the Americans can have to attack us, an inoffensive and unoffending people. We have none of their slaves, we have taken none of their property since the Americans made peace with our good father, King George. We have followed the orders of his officer that was with us, lieutenant colonel Edward Nicholas, and in nowise molested the Americans, though we daily see them encroaching on our territory, stealing our cattle and murdering and carrying off our people. That same officer also told us, we allies to the great king our father, were included in the treaty of peace between our good father and the Americans, and that the latter were to give up all the territory that had been taken from us before and during the war. Yet so far from complying with the ninth article of that treaty, they are daily making encroachments on our land, getting persons who are not known to the chiefs, and without any power or authority, to grant and sign over lands to them. Thus they deceive the world and make our very friends believe we are in league with them.

The principal chiefs of the nation, with the head warriors, assembled at my town, on the 8th instant, and came to the resolution of informing the British minister at Washington of the conduct of the Americans and the officers of their government towards us; it has been done accordingly, and copies sent to England. We demand of the king, our father, to fix some of his people among us, who may inform him from time to time, of what is passing, and see the Americans do not extend themselves on our lands. The Spanish subjects in the Floridas are too much in the interests of the Americans to be our friends. For the governors I shall always entertain the greatest regard, but for the people, they do not act so as to merit any esteem and protection. You desire I would chase those marauders who steal my cattle, my people have lately driven some Americans from Lahhewary, and I have no doubt the Americans will hold of this as a pretext to make war on us as they have before done, in stating we harbor their runaway slaves.

No. 3.

General Mitchell, Agent for Indian Affairs,

SIR,

King Hatchy, the head chief of the Lower Creek nation, has called on me to request I would represent to you the cruel and oppressive conduct of the American people,living on the borders of the Indian nation,and which he was in hopes, from a talk you were pleased to send him some weeks since, would have had put a stop to, and peace restored between the Indians and American people. But far from any stop being put to their inroads and encroachments, they are pouring in by hundreds at a time: not only from the land side, but ascending the Appalachicola in vessel loads; thus the Indians have been compelled to take up arms to defend their homes from a set of lawless invaders. Your known philanthrophy and good will to the Indians, induces the head chiefs to hope that you will loose no time in using your influence to put a stop to those invasions of their lands, and order that those who have already presumed to seize our fields may retire therefrom.

The Indians have seized two persons they think have been greatly instrumental in bringing the Americans upon them, and they are now in their possession as prisoners. It is even reported they have made sales of Indian lands without the knowledge, consent, or approbation of the chiefs of the nation; and from their long residence in the nation, and the great influence the one of those people formerly enjoyed among the chiefs, as their chief, there is some reason to believe he has been guilty of improper conduct to the Indian nation.

No. 4.

Petition of the Chiefs of the Lower Creek Nation, to Govenor Cameron.

We, the undersigned, deputed by the chief of the Creek Nation, to wait on your excellency and lay before you their heavy complaints. To the English we have always looked up to as friends, as protectors; and on them we now call to aid us in repelling the approaches of the Americans, who, regardless of treaties, are daily seizing our lands, and robbing our people; they have already built seven forts on our land; they are making

roads and running lines into the very heart of our country; and without the interferance of the English, we shall soon be driven from the land we inhabited from our forefathers.

The Americans tell us, the English will regard us no more, and we had better submit to them; but we cannot submit to their shackles and will rather die in defence of our country.

When peace was made between the English and Americans, we were told by lieut. col. Nichols, that the Americans were to give up our lands they had taken, and we were desired to live quietly and peaceably, in no-wise molesting the Americans: we have strictly followed those orders; but the Americans have not complied with the treaty. Col. Nichols left Mr. Hambly in charge of the fort at Prospect Bluff, with orders to hear us if any cause of complaint, and represent the same to the British government; but he turned traitor, and brought the Americans down on the fort, which was blown up, and many of our red bretheren destroyed in it. The ammunition stores, intended for our use, were either destroyed or taken off by the Americans. We have sent several messengers to inform your excellency of these proceedings of the Americans, but they have never returned to us with an answer. Three of our red bretheren have lately been killed by the Americans, while hunting on our lands, and they threaten to attack the towns of Mickasuky and Sahwahnee, the only two large towns left us in the Creek Nation; and without aid from your excellency, we cannot repel their attack. We are therefore deputed to demand of your excellency, the assistance of troops and ammunition, that we may be able effectually to repel the attack of the Americans and prevent their further encroachments; and if we return without assistance, the Americans, who have their spies among us, will the more quickly come upon us. We most humbly pray your excellency will send such a force as will be respected and make us respectable.

(The following endorsed on the foregoing.)

Charles Cameron, Esq. Governor, Commander in Chief, &c. &c. &c.

I beg leave to represent to your excellency, the necessity of my again returning to the Indian nation, with the deputies from the chiefs, and as my trouble and expense can only be defrayed by permission to take goods to dispose of among them, I pray your excellency will be pleased to grant me such a letter or license, as prevent me from being captured, in case of meeting any Spanish cruizer on the coast of Florida.

The court adjourned to meet to-morrow morning, at seven o'clock.

Fort St. Marks, 27th April, 1818.

The court convened pursuant to adjournment. Present,

Major General E. P. GAINES, *President.*

Members.

Col. King,	Col. Dyer,
Col. Williams,	Lt. Col. Lindsay,
Lt. Col. Gibson,	Lt. Col. Elliott,
Major Muhlenberg,	Major Fanning,
Major Montgomery,	Major Minton,
Capt. Vashon,	Capt. Crittenden.

Lieut. J. M. GLASSELL, *Recorder.*

When the further examination of the witness, Peter B. Cook, took place, viz:

Question by the Prisoner. How long have you been acquainted with the settlements on the Sahwahnee?

Answer. Between six and seven months.

Question by the Prisoner. For what term of years did you engage to live with the prisoner?

Answer. For no stated period; I was taken by the year.

Question by the Prisoner. Were you not discharged by the prisoner, from his employ?

Answer. He told me he had no further use for me after I had written the letters to Providence.

Question. Where did you stay after you were discharged?

Answer. I staid in a small house belonging to a boy, called St. John, under the protection of Nero.

Question. What was the subject matter of the letters you wrote to Providence?

Answer. After being refused by the prisoner, a small venture to Providence, I wrote to my friends for the means to trade by myself.

Question by the Prisoner. Do you believe the prisoner had knowledge of the ventures being on board the schooner?

Answer. I do not believe he did; it was small, and in my trunk.

Question by the Prisoner. Do you know that Ambrister was the agent of the prisoner?

Answer. I do not.

Question. Do you think that the powder and lead shipped, would more than supply the Indian and negro hunters?

Answer. I did not see the powder and lead myself, but was told by Bowlegs that he had a great quantity; he had three, keeping to fight with.

Question. Did the Indians reside on the east side of the river?

Answer. They did.

Question. You were asked if the negroes and Indians, when the letter marked A, was communicated, they did not take up arms; had they received information of the defeat of the Indians at Mickasuky, prior to that time?

Answer. It was afterwards, I believe, they received the informatio

Question. Did not Bowlegs keep other powder than that got from the prisoner?

Answer. He had some he got from the Bluff, which was nearly done; he said his hunters were always bothering him about powder.

Question. Did you state that, at the time Armbrister ascended the river, there was no other vessel at the mouth of the river?

Answer. There was none other there; there was one had sailed.

Question. There is a letter A, spoken of, how do you know that the son of the prisoner had that letter in his possession?

Answer. I saw him with it, which he dropped; and a boy called John, picked up and gave it to me.

Question. You stated that the Indians and negroes doubted the fidelity of the prisoner, in sending letters to the Prince Regent; do you think the prisoner would have been punished by them, had he not complied with their wishes?

Answer. I do not know.

Question. Do you believe the prisoner was compelled to write the Indian communications?

Answer. He was not compelled.

William Hambly, a witness on the part of the prosecution, being duly sworn, and commencing a statement of what he heard the chiefs say, and the prisoner objecting to hearsay evidence of that kind, the court was cleared, in order to take the question; when they decided, that the prisoner's objections was not valid. The witness was therefore re-called, and stated, that fifteen or twenty days after the prisoner arrived at Ochlochnee, the Seminole Indians began to steal horses from the United States' settlements, and committed murders on the Satilla river, which he was informed by them, was at the instigation of the prisoner.

The chiefs of the little villages, in witnesses neighborhood, then desired him to write a few lines to the prisoner, stating those reports, and that he did not know that those Indians he was exciting, had long been outlawed, and cautioned him against such proceedings, or he might be involved in their ruin; this the witness did, when the prisoner wrote him a long and insulting letter, which was lost; upbraiding the witness, for calling those Indians outlaws, and accusing him of exciting the Indians to cruel war. The witness was told by chiefs and Indians, who had seen the prisoner, that he advised them to go to war with the United States, if they did not surrender them the lands which had been taken from them, and that the British government would support them in it.

The Indians that took the witness, and a certain Mr. Doyle, prisoners, which happened on the 13th December last, told them it was by the prisoner's order; and on their arrival at Mickasuky, (as prisoners) king Hijah, and all his chiefs told them, it was by the prisoner's orders they were taken and robbed. On their arrival at Suwany, they were told by the Indians and negro chiefs, who set in council over them, that the prisoner had advised that he should be given up to five or six Choctaw Indians, who were saved from the negro fort, who would revenge themselves for the loss of their friends at that place. On their return from Suwany, the chief king, Hijah, told them, that he had got the prisoner to write several letters for him; one to the governor of Providence; one to the British minister at Washington; one to the secretary of state in London; and one for the American agent for Indian affairs, protesting against

the proceedings of the commanding officer at fort Scott. While the witness was at Suwany, the Indian chiefs told him that the prisoner had arrived at that place, with ten kegs of powder on board his vessel, and whilst at fort St. Marks, sometime in March, Hillishajo, or Francis, brought an order from the prisoner to the commandant, for two kegs powder, with other articles, which were in his possession.

Question by the court. Were any murders or depredations committed on the white settlements by the Indians, previous to the prisoners arrival at Ocklochnee?

Answer. None except one murder at fort Gaines, which was before or about the time of the prisoner's arrival.

Question. How long have you resided among the Indians; state to the court whether you are acquainted with the Indian language, and how long since you learned it?

Answer. I have resided among them 14 years, and have understood their language 12 years.

Question. Do you believe the Seminoles would have commenced the business of murder and depredations on the white settlements, had it not been at the instigation of the prisoner, and a promise on his part of British protection?

Answer. I do not believe they would, without they had been assured of British protection.

Question by the court. What was the light in which the prisoner was viewed by the hostile Seminoles. Was it that of an authorized agent of the British government?

Answer. The different chiefs always represented him to me as such.

The witness recognized the letter marked G, and signed A. Arbuthnot, as being a copy of the one alluded to in his testimony, as lost.

Question by the Prisoner. Are you acquainted with the prisoner's hand writing?

Answer. I have seen it, but cannot say I am acquainted with it.

Question. Is that which you have just seen, and say is the copy of the one you lost, the prisoner's hand writing?

Answer. It looks to be his hand writing; but I cannot say positively.

Question. Was the prisoner considered as the agent of the Seminoles, at the time those murders were committed?

Answer. I had not seen the prisoner at that time; the Indian chiefs told me that the prisoner had reported himself to them as an English agent.

Question. Where did you understand the prisoner to be, when you were taken prisoner?

Answer. The Indians told us that he had gone over to Providence, but was expected back by the time we should arrive at Suwany.

Question. Did you not request king Hijah, to prevail upon the prisoner to give you a passage in his schooner to Providence?

Answer. Yes; but was told that the prisoner refused it, stating that if we were forced upon him, he would blind fold us and make us walk overboard.

Question. What were the reasons given by king Hijah, for the prisoner's not granting your request?

Answer. King Hijah stated that the prisoner was fearful of meeting with an American vessel, where we should be taken out and he thereby loose his schooner.

Edmund Doyle, a witness on the part of the prosecution, being duly sworn, was questioned as follows:

Question by the Judge Advocate. Do you know any thing that would lead to substantiate the charges against the prisoner now before you?

Answer. I know nothing but from common report.

William Fulton, an evidence in the present prosecution, being duly sworn, testified the copy of the letters from A. Arbuthnot, to general Mitchell, agent for Indian affairs, dated Suwany, 19th January, 1818, and marked No. 6, as acknowledged by the prisoner, to the same in substance, as one written by himself at that time; an extract from the letter was then read.

No. 6.

Extract from a letter, written by A. Arbuthnot, to General Mitchell American Agent for the Creek Nation of Indians, dated,

Shwahnee, 19th January, 1818

In taking this liberty of addressing you, sir, in behalf of the unfortunate Indians, believe me I have no wish, but to see an end put to a war, which if persisted in, I foresee must eventually be their ruin, and as they were not the aggressors; if in the height of their rage, they committed any excesses, that you will overlook them, as the just ebullitions of an indignant spirit against an invading foe.

I have the honor, &c.

(Signed) A. ARBUTHNOT.

By order of king Hijah and Bolegs, acting for themselves and the other chiefs.

Question by the Prisoner. Where did the prisoner acknowledge the letter just read, to be a copy of the one written by himself?

Answer. In the encampment before this place, about the 6th or 7th instant.

Question by the Prisoner. Was not the acknowledgement when he was a prisoner?

Answer. It was.

Question by the Prisoner. Did you hear a gentleman say to the prisoner, whilst in custody, that those who recommended the scalping knife and tomahawk, should feel their keenest edge?

Answer. I did hear a gentleman say, that those who excited the Indians to the murder of the unoffending, should feel the keenest edge of the scalping knife; but as well as I recollect, that observation was not made until after the repeated acknowledgements of the prisoner, of having written the letter.

Question by the Court. Was not the confession of the prisoner to this letter made voluntarily and without any constraint whatever?

Answer. I conceive it was.

The evidence on the part of the prosecution being closed, the prisoner requested as a witness, Robert C. Ambrister, as one of his witnesses, against whom criminal charges had been filed and who was in custody on account thereof; to which the judge advocate objecting, the court was cleared to take its sense—when it was decided that Robert C. Ambrister, now in custody for similar offences with the prisoner, cannot be examined as evidence before this court.

John Lewis Phenix, a previous witness, now on the part of the prisoner, being again sworn, was questioned as follows, viz:

Question by the Prisoner. Was there any other vessel at the mouth of the Sahwahnee river, when Ambrister seized your schooner?

Answer. Yes.

Question. What vessel was it? Was it not the vessel which Ambrister came in?

Answer. It was a sloop, and I understood Ambrister came in her.

Question. Did Ambrister ever mention to you, who recommended him to seize the prisoner's schooner, or who assisted him in stimulating the negroes to do so?

Answer. No. I understood he came on board of his own accord.

Question by the Court. Have you, since you commanded the prisoner's vessel, ever brought any arms to that part of the country?

Answer. No. I brought a quantity of lead and ten kegs of powder in the last trip.

John Winslett, a former witness on the part of the prosecution, being recalled on behalf of the prisoner, was questioned as follows, viz.

Question by the Prisoner. Are you not of opinion that the letter which you say was written by the prisoner to the Little Prince, is now in the possession of the Little Prince?

Answer. After reading it I returned it to him, and believe it to be still in his possession, as Indians seldom destroy papers of that kind.

The prisoner requesting some time to make up his defence, he was given until to-morrow evening, at 4 o'clock.

Fort St. Marks, 28th of April, 4 o'clock, P. M.

The recorder having read over the proceedings of the court with closed doors, the prisoner was recalled into court, and made the defence marked K, and attached to these proceedings. The doors were then closed, and after most mature deliberation on the evidence adduced, the court find the prisoner, *Alexander Arbuthnot*, guilty of the first specification to the first charge, and guilty of the first charge; guilty of the first and second specifications to the second charge, and guilty of the second charge, leaving out the words "acting as a spy." They therefore do, on the most mature reflection, sentence the prisoner, *Alexander Arbuthnot*, to be suspended by the *neck, until he is dead*, two-thirds of the court concurring.

(Signed) EDMUND P. GAINES,
Major General by Brevet,
President of the Court.

(Signed) J. M. GLASSELL,
Recorder.

K.

DEFENCE.

May it please this Honorable Court:

The prisoner arraigned before you, is sensible of the indulgence granted by this honorable court in the examination of the case now before them. It is not the wish of the prisoner in making his defence, to tire the patience of the court, by a minute reference to the voluminous document and papers, or to recapitulate the whole of the testimony which has come before the honorable court, in the course of this investigation. Nor is it the intention of the prisoner to waste the invaluable time of this court, by appeals to their feelings or sympathy. Though I am persuaded that sympathy no where more abounds than in a generous American breast. My only appeal is to the sound and impartial judgment of this honorable court, the purity and uprightness of their hearts, that they will dispassionately and patiently weigh the evidence they have before them, apply the law; and on these, and these alone, pronounce their judgment.

If this honorable court please, I shall now proceed to examine the law and evidence that is relied on by this honorable court, in support of the first charge and specification.

Winslett, a witness on the part of the prosecution, says, the Little Prince shew him a letter written in June last, signed A. Arbuthnot, requesting his friendship with the lower nation of Indians. The same witness stated that he believed the letter to be now in the possession of the Little Prince. Here, may it please this honorable court, I would call their attention to the law relating to evidence. First, presuming that the rules of evidence are the same, whether in civil or military tribunals, M'Com. 99. This point being conceded, the next inquiry is, what are the rules of evidence with respect to the admission of letters or papers of private correspondence, in a court of criminal jurisdiction? May it please this honorable court, must you not produce the original letters and papers, if they are not lost or mislaid, so that they cannot be obtained; and in case they are lost, proof must be made of the handwriting being the same of that of the original, before they can be received as evidence? M'Comb on Courts Martial, Peake's Evidence, Gilbert's Law of Evidence. No instance can be cited where the copy of a letter was read as evidence, when the original could be obtained, much less the giving in evidence the contents of such letter from bare recollection. The only proof that this honorable court has of the existence of such letter being in the hands of any person, or its contents being known, is the vagrant memory of a vagrant individual. Make this a rule of evidence, and I ask you when would implication, construction, and invention, stop? Whose property, whose reputation, and whose life would be safe? Here I would beg leave to mention a remark made by the president of this court, in the course of this investigation, which was, that notwithstanding the letter was proved by the witness to be in the possession of the Little Prince, that this court could not notice that circumstance, because there was no means by which it could be obtained. I would ask the honorable court what means they have adopted, or what exertions have they made, to procure this letter? If the honorable court please, I shall here close the defence on the first charge and specification, believing that they are neither supported by law or evidence.

May it please the honorable court, I will now come to the second charge, and first specification of that charge. In support of this charge and specification, the evidence is a letter written to my son. If the court please, this letter was written in consequence of my property at Sahwahnee, and the large debts that were due me from Bolegs and his people. Nothing, I believe, of an inflamating nature, can be found on reading the document marked A, authorizing the opinion that I was prompting the Indians to war. On the contrary, if the honorable court will examine the document marked A, they will see that I wished to lull their fears by informing them that it was the negroes, and not the Indians, the Americans were principally moving against. If the honorable court please, I will make a few remarks upon the second specification, and here close my defence. In proof of this charge the court have before them the evidence of Hambly, Cook, and sundry letters purporting to be written by myself to different individuals. May it please the court, what does Cook prove? Why, that I had ten kegs of powder at Sahwahnee. Let me appeal to the experience of this court, if they think that this quantity of powder would supply one thousand Indians and an equal number of blacks, more than two months, for hunting? As to the letters named in this

specification, may it please the court, the rules of evidence laid down in the first part of this defence, will apply with equal force in the present case.

It remains now, may it please the court, to say something as to Hambly's testimony; and may it please this honorable court, the rule laid down in this case as to hearsay evidence, will be found without a precedent. A strong case was stated by an intelligent member of this court on the examination of this part of the evidence; that is, would you receive as testimony, what a third person had said, who, if present, you would reject as incompetent? Apply this principle to the present case, could an Indian be examined on oath in our courts of judicature? If then the testimony of savages is inadmissible, Hambly proves nothing.

Here, may it please this honorable court, I close my reply to the charges and specifications preferred against me, being fully persuaded that, should there be cause of censure, that my judges will, in the language of the law, lean to the side of mercy.

Continuation of the Minutes of the Proceedings of a Special Court, whereof Major General Gaines is President, convened by order of the 26th of April, 1818.

Fort St. Marks, 27th April, 1818.

The court proceeded to the trial of Robert C. Ambrister, a British subject, who, being asked if he had any objections to any one of the members of the court, and replying in the negative, was arraigned on the following charges and specifications, viz.

Charges against Robert C. Ambrister, now in custody who says he is a British subject.

Charge 1st. Aiding, abetting, and comforting the enemy, supplying them with means of war, he being a subject of Great Britain, at peace with the United States, and lately an officer in the British colonial marines.

Specification 1st. That the said Robert C. Ambrister, did give intelligence of the movements and operations of the American army between the 1st and 20th of March, 1818, and did excite them (the negroes and Indians) to war against the army of the United States, by sending their warriors to meet and fight the American army, whose government was at peace and friendship with the United States, and all her citizens.

Charge 2d. Leading and commanding the Lower Creeks, in carrying on a war against the United States.

Specification 1st. That the said Robert C. Ambrister, a subject of Great Britain, which government was in peace and amity with the United States, and all her citizens, did, between the first of February, and twentieth of March, 1818, levy war against the United States, by assuming command of the Indians, in hostility and open war with the United States, and ordering a party of them to meet the army of the United States and give them battle, as will appear by his letters to governor Cameron, of New Providence, dated 20th March, 1818, which are marked A, B, C, and D.; and the testimony of Mr. Peter B. Cook, and captain Lewis, of the schooner Chance.

By order of the Court,

(Signed) J. M. GLASSELL,
Recorder.

To which charges and specifications, pleaded as follows, viz:
To the first charge and specification, *Not Guilty.*
To the second charge and specification, *Guilty, and Justification.*
The court adjourned to meet to-morrow morning, at seven o'clock.

Fort St. Marks, 28th April, 1818.

The court met pursuant to adjournment. Present,

Major General GAINES, President.

Members.

Col. King,	Col. Dyer,
Col. Williams,	Lt. Col. Lindsay,
Lt. Col. Gibson,	Lt. Col. Elliott,
Major Muhlenberg,	Major Fanning,
Major Montgomery,	Major Minton,
Capt. Vashon,	Capt. Crittenden.

Lieut. J. M. Glassell, Recorder.

The recorder then read to the court the following order, to wit:

Head Quarters, Division of the South,
Adjutant General's Office,
St. Marks, 28th April, 1818.

GENERAL ORDER.

Capt. Allison of the 7th Infantry, is detailed to form a supernumerary member of the special court now setting at Fort St. Marks.

By order,

(Signed) ROBERT BUTLER,
Adjutant General.

Pursuant to the above order, the supernumerary member took his seat.

John Lewis Phenix, a witness on the part of the prosecution, being duly sworn, stated: that, about the 5th or 6th of April, 1818, his vessel and himself, having been captured by the prisoner, and he brought to Suwany as a prisoner, there was an alarm among the negroes and Indians, created by learning some news from Mickasuky, at which time the prisoner appeared active in sending orders and sending a detachment to meet the American army.

The witness also stated, that the prisoner appeared to be a person vested with authority, among the negro leaders, and give orders for their preparation for war, procuring ammunition, &c. and that the leaders came to him for *orders*. The prisoner furnished them with powder and lead, and recommended to them the making of ball, &c. very quickly. The witness also stated, that the prisoner occasionally dressed in uniform, with his sword, and that on the first alarm, which he understood was from Mickasuky by a negro woman, he put on his uniform.

The witness further stated, that some time about the 20th March, 1818, the prisoner, with an armed body of negroes, (24 in number,) came on board his vessel and ordered him to pilot them to fort St. Marks, which he stated he intended to capture, before the Americans could get there; threatening to hang the witness if he did not obey.

Question by the Court. Did you ever understand by whose authority and for what purpose the accused came into the country?

Answer. I have frequently heard him say, he came to attend to Mr. Woodbine's business at the bay of Tamper.

Question by the Prisoner. Did I not tell you when I came on board the schooner Chance, I wished you to pilot me to St. Marks, as I was informed that two Americans by the name of Hambly and Doyle were confined there, and I wished to have them relieved from their confinement?

Answer. You stated, you wanted to get Hambly and Doyle from St. Marks; I do not know what were your intentions in so doing.

Question. Did I not tell you that I expected the Indians would fire upon me when arriving at St. Marks.

Answer. You did not; you stated that you intended to take the fort in the night, by surprise.

Question. Did you see me give ammunition to the negroes and Indians; if so, how much and at what time?

Answer. I saw you give powder and lead to the negroes, when you came on board, and advised them to make balls; and I saw you give liquor and paint to the Indians.

Question. Have you not often heard me say, between the 1st and 20th of April, that I would not have any thing to do with the negroes and Indians, in exciting them to war with the United States?

Answer. About the 15th of April, I heard you say you would not have any thing to do with the negroes and Indians. I heard nothing about exciting them to war.

Question. Can you read writing?

Answer. Not English writing.

Question. Did you not hear me say, when arriving at Suwany, that I wished to be off immediately for Providence?

Answer. I did not; after the alarm, you said you wished to be off for Tamper.

Question. Did you not say to the accused, you wished to visit Mr. Arbuthnot at his store on Suwany, and get provisions yourself?

Answer. I did not; I stated I wanted provisions.

Question. Did I send or command any Indians to go and fight the Americans?

Answer. I did not exactly know that you sent them; the Indians and negroes were crowding before your door, and you were dividing the paint, &c. among them; and I understood a party was going to march?

Question. Did I not give up the schooner in charge to you as captain?

Answer. After our return from Suwany town, you directed me to take charge of her to go to Tamper.

John J. Arbuthnot, a witness on the part of the prosecution, being duly sworn, stated; that sometime about the 23d March, the prisoner came with a body of negroes, partly armed, to his father's store, on Suwany river, and told the witness that he had come to do justice to the country, by taking the goods and distributing them among the negroes and Indians; which the witness saw the prisoner do; and that the prisoner stated to him, that he had come to the country on Woodbine's business, to see the negroes righted. The witness has further known the prisoner to give orders to the negroes, and that at his suggestion, a party was sent from Suwany to meet the Americans, to give them battle; which party returned on meeting the Mickasuky Indians in their flight. The witness also testified to the following letter, marked A, and referred to in the specification of the 2d charge, as the writing of the prisoner.

A.

Robert C. Armbrister to Governor Cameron.

March 20th, 1818, *Sahwahnee, near St. Mark's Fort.*

SIR,

I am requested, particularly by all our Indian chiefs, to acquaint your excellency, that the Americans has commenced hostilities with them two years ago, and have advanced some considerable in their country, and are now making daily progress. They say they sent a number of letters to your excellency, but have never received one answer, which makes them believe that he never delivered them, and will oblige them much if you will let me know whether he did or not. The purport of the letters were begging your excellency to be kind enough to send them down some gunpowder, muskets, balls, lead, cannon, &c. as they are

now completely out of those articles. The Americans may march through the whole territory in one month; and without arms, &c. &c. they must surrender. Hillis Haijo, or Francis, the Indian chief, the one that was in England, tells me to let your excellency know, that the Prince Regent told him, that whenever he wanted ammunition, that your excellency would supply with as much as he wanted. They beg me to press upon your excellency's mind, to send the above mentioned articles down by the vessel that brings this to you, as she will sail for this place immediately, and let the Prince Regent know of their situation. Any letters that your excellency may send down, be good enough to direct to me as they have great dependence in my writing. Any news that your excellency may have, respecting them and America, will be doing a great favor to let me know, that I may send among them.

There is now a very large body of Americans and Indians, who, I expect will attack us every day, and God only knows how it will be decided; but I must only say, this will be the last effort with us. There has been a body of Indians gone to meet them, and I have sent another party. I hope your excellency will be pleased to grant the favor they request. I have nothing further to add, but am, Sir,

With due respect, your obedient, humble servant,

[Signed] ROBERT C. AMBRISTER.

Question by the Prisoner. Did you hear me say, that I came on Woodbine's business?

Answer. I did.

Question by the Prisoner. Were not the negroes alluded to, at Arbuthnot's store before I arrived?

Answer. No, you came with them.

Peter B. Book, a witness on the part of the prosecution, being duly sworn, stated; that he never heard the prisoner give any orders to negroes or Indians; that the prisoner distributed Arbuthnot's goods, and also paint to the negroes and Indians; also that some powder was brought from the vessel to Suwany by the prisoner, and distributed among the negroes by Nero. Sometime in March, the prisoner took Arbuthnot's schooner, and with an armed party of negroes, 24 in number, set out for St. Marks, for the purpose of taking Arbuthnot's goods at that place, and stated, that he would compel the commandant to deliver them up. On hearing of the approach of the American army, the prisoner told the negroes it was useless to run, for if they ran any further, they would be driven into the sea.

The prisoner told the witness, that he had been a lieutenant in the British army, under col. Nichols. The prisoner was sent by Woodbine to Tamper, to see about those negroes he had left there. The prisoner told the witness, that he had written a letter to governor Cameron, for ammunition for the Indians sometime in March, and also told the witness, that he had a commission in the Patriot army, under M'Gregor, and that he had expected a captaincy. The witness testified to the following letters, marked A, B, C, and D, and referred to in the specification to the second charge, were in the hand writing of the Prisoner, and one marked E.

(Note. The letter marked A, is copied in a previous part of these proceedings.)

B.

From Robert C. Ambrister to major Edward Nichols.

Suwany near River Appalachicola.

DEAR SIR,

Francis, and all the Indian chiefs, having requested me particularly to acquaint you, that the Americans have commenced hostilities with them these two years past, and are making daily progress in their territory, and say they will proceed. That you are the only friend they have in that part of the world, and hope that you exert yourself in their behalf, and ask for as much assistance as can be had: that the Americans are at the Forks of the river Appalachicola. They have written a number of times to England and Providence, but have never received one answer; they expect the man never delivered the letters; but they have full hopes in my writing. They request you would make the prince regent acquainted with their deplorable situation. The Americans have been very cruel since they commenced, and I hope you will loose not a single moment in forwarding their views. They say, they will be extremely happy to see you out, nothing would give them greater pleasure than to see you out, at this present time. If they should not see you, to send them out all news and directions, that they may be guided by it.

There is about three hundred blacks at this place; a few of our Bluff people; they beg me to say, they depend on your promises, and expect you are on the way out. They have stuck to the *cause*, and will always believe in the faith of you, and any directions you may give, send to me at this place, and I will do what I can.

And remain, my dear sir,

Most truly yours,

[Signed] ROBERT C. AMBRISTER.

N. B. Francis says, you must bring the horses when you come out that you promised; and that his house has been burnt down, and burnt his uniform colthes.

[Signed] R. A.

C.

From Robert C. Ambrister to Governor Cameron.

March 20, 1818.

SIR,

I am requested, particularly by the Indian chiefs, to acquaint your excellency, that the Americans have commenced hostilities with them a long time since, and have advanced some distance in their territory, and are still continuing to advance. That the chiefs of Florida have sent repeatedly to your excellency, and have never received one answer—they suspect, Mr. Arbuthnot has never delivered the papers to your excellency. They wish me to state to you, that they are completely out of ammunition, muskets, &c. beging your excellency will be pleased, to send them the articles abovementioned, with a few cannon, as the Americans build their boats so strong, that their rifle balls cannot penetrate their sides. The captain of the vessel, who will come down again, I have given orders to make your excellency acquainted what time the vessel will sail for this place. Your excellency will, I hope, be good enough to make the prince regent acquainted with their situation, and ask for assistance, which they have pressed me very hard to press upon your excellency's mind; and likewise to send them down what news may be respecting them, and the country, which will be a great satisfaction to them.

I have the honor, &c. &c. &c.

[Signed] ROBERT C. AMBRISTER.

N. B. They beg your excellency will be as expeditious as possible, that your excellency is the only dependence they have, and whom the prince regent told them, would give them every assistance that laid in your power.

[Signed] ROBERT C. AMBRISTER.

D.

From Robert C. Ambrister to governor Cameron, &c. &c. &c.

Sahwahnee, 20th March, 1818.
Near fort St. Marks.

SIR,

I am requested by Francis, and all the Indian chiefs, to acquaint your excellency, that they are at war with the Americans, and

have been some time back; that they are in great distress for want of ammunition, balls, arms, &c. and have wrote by Mr. Arbuthnot, several times, but they suppose he never delivers them to your excellency; you will oblige them much, to let them know whether he did or not.

I expect the Americans and Indians will attack us daily. I have sent a party of men to oppose them. They beg on me to press on your excellency's mind, to lay the situation of the country before the prince regent, and ask for assistance. All news respecting them, your excellency will do a favor to let us know by the first opportunity, that I may make them acquainted. I have given directions to the captain, to let your excellency know when the vessel will sail for this place. I hope your excellency will be pleased to send them the ammunition. I expect if they do not procure some very shortly, that the Americans will march through the country. I have nothing further to add.

I am, dear sir, your most obt. hum. servt.

[Signed] ROBERT C. AMBRISTER.

E.

From Robert C. Ambrister to Peter B. Cook.

Mouth of the river.

DEAR COOK,

The boat arrived here about three o'clock on Thursday: the wind has been ahead ever since I have been down: the rudder of the vessel is in a bad condition, but I will manage to have it done to night. The wind, I am in hopes, will be fair in the morning, when I will get under way, and make all possible despatch. I will make old Lewis pilot me safe. If those Indians don't conduct themselves straight, I would use rigorous means with them. Beware of Mr. Jerry; I found him on board when I came; keep a good look out. I have sent two kegs of powder, and one bar of lead.

Yours, &c.

[Signed] R. A.

Tuesday, 3 o'clock.

Question by the Prisoner. Did you not frequently hear me say, that I would have nothing to do with the Indians, in exciting them to war with the United States?

Answer. I do not recollect.

Question by the Prisoner. Are you acquainted with Lewis Phenix, and have you not heard him express ill will against me, in consequence of my wishing him to pilot me to St. Marks?

Answer. I never did.

Question Do you know my sending troops at any time to fight against the United States; and have I not been constantly with you; so that you would have had an opportunity of knowing if there had been any sent by me?

Answer. I have not. They might have been sent without my knowledge.

Jacob Hannon, a witness on the part of the prosecution, being duly sworn, that some time in the latter end of March or first of April, the prisoner took possession of the schooner Chance, with an armed party of negroes, and stated his intentions of taking St. Marks. On his way thither, going ashore, he learned from some Indians, that Arbuthnot had gone to St. Marks, which induced him to return. The witness also stated, that while the prisoner was on board, he had complete command of the negroes, who considered him as their captain. The prisoner took the cargo of the vessel, up towards Suwany, which consisted of, with other srticles, nine kegs of powder, and five hundred pounds of lead.

The evidence on both sides being closed, the prisoner was allowed until five o'clock this evening to make his defence.

The time allowed the prisoner, for the preparation of his defence having expired, he was brought before the court, and made the defence marked M, which is attached to these proceedings.

The court was then cleared, and the proceedings read over by the recorder, when, after due deliberation on the testimony brought forward, the court find the prisoner, Robert C. Ambrister, guilty of so much of the specification to the first charge as follows, viz: "And did excite them to war with the United States, by sending their warriors to meet and fight the American army, he being a subject of great Britain, which government was at peace and friendship with the United States and all her citizens;" but not guilty of the other part of the specification; guilty of the first charge; guilty of the specification of the second charge; and guilty of the second charge; and do therefore sentence the prisoner, Robert C. Ambrister, to suffer *death*, by being *shot*, two-thirds of the court concurring therein.

One of the members of the court, requesting a reconsideration of his vote on the sentence, the sense of the court was taken thereon, and deciding in the affirmative, when the vote was again taken, and the court sentenced the prisoner to receive fifty stripes on his bare

back, and be confined with a ball and chain to hard labor for twelve calendar months.

The court adjourned *sine die*.

[Signed] EDMUND P. GAINES,

Maj. Gen. by Brevet, Pres. of the Court.

[Signed] J. M. GLASSELL,

Recorder.

Defence M.

Fort St. Marks, April 28th, 1818.

The United States of America,
vs.
Robert Christy Ambrister,

Who being arraigned before a special court martial, upon the following charges, to wit:

1st. Aiding, abetting, and comforting, supplying them with the means of war; he being a subject of Great Britain, at peace with the United States, and lately an officer in the British colonial marines.

Charges 2d. Leading and commanding the lower Creek Indians, in carrying on war against the United States.

To the first charge, the prisoner at the bar, plead, not guilty; and as to the second charge, he plead, guilty, and justification. The prisoner at the bar, feels grateful to this honorable court, for their goodness in giving him a sufficient time to deliberate and arrange his defence on the above charges.

The prisoner at the bar, here avils himself of the opportunity of stating to this court, that, inasmuch as the testimony which was introduced in this case, was very explicit, and went to every point the prisoner could wish; he has nothing further to offer in his defence, but puts himself upon the mercy of the honorable court.

[Signed] ROBERT C. AMBRISTER.

Head Quarters, Division of the South,

Adjutant General's office, Camp, four miles north of St. Marks, April 29th, 1818.

GENERAL ORDER.

At a special court martial commenced on the 26th instant, at St. Marks, and continued until the night of the 28th, of which brevet major general E. P. Gaines is president, was tried A. Arbuthnot on the following charges and specifications, viz:

Charge 1st. Exciting and stirring up the Creek Indians to war against the United States and her citizens, he, A. Arbuthnot being a subject of Great Britain, with whom the United States are at peace.

Charge 2d. Acting as a spy, aiding. abetting, and comforting the enemy, and supplying them with the means of war.

Charge 3d. Exciting the Indians to murder and destroy Wm. Hambly, and Edmund Doyle, confiscate their property, and causing their arrest with a view to their condemnation to death, and the seizure of their property, they being citizens of Spain, on account of their active and zealous exertions to maintain peace between Spain, the United States, and the Indians.

To which charges the prisoner pleaded, not guilty.

The court after mature deliberation on the evidence adduced, find the prisoner, A. Arbuthnot, guilty of the first charge, and guilty of the second charge, leaving out the words "acting as a spy:" and after mature reflection, sentence him, A. Arbuthnot, to be *suspended* by the *neck* until he is *dead.*

Was also tried Robert C. Ambrister, on the following charges, viz.

Charge 1st. Aiding, abetting, and comforting the enemy, and supplying them with the means of war, he being a subject of Great Britain, (who are at peace with the United States,) and late an officer in the British colonial marines.

Charge 2d. Leading and commanding the lower Creek Indians in carrying on a war against the United States.

To which charges the prisoner pleaded as follows, viz:

To the fisrt charge, not guilty. To the second charge, guilty, and justification.

The court on examinntion of evidence, and on mature deliberation, find that the prisoner, Robert C. Ambrister, guilty of the first and second charges, and do therefore sentence him to suffer *death*, by being *shot.* The members requesting a reconsideration of the vote on this sentence; and it being had, they sentence the prisoner to receive fifty stripes on his bare back, and be confined with a ball and chain to hard labor, for twelve callendar months.

The commanding general approves the finding and sentence of the court, in the case of A. Arbuthnot; and approves the finding and first sentence of the court in the case of Robert C. Ambrister; and disapproves the reconsideration of the sentence of the honorable court in this case.

It appears from the evidence and pleading of the prisoner, that he did lead and command within the territory of Spain, (being a subject of Great Britain,) the Indians in war against the United States; those nations being at peace. It is an established principle of the laws of nations, that any individual of a nation, making war against the citizens of another nation, they being at peace, forfeits his allegiance, and becomes an outlaw and pirate. This is the case of Robert C. Ambrister, clearly shown by the evidence adduced.

The commanding General orders that brevet major A. C. W. Fanning of the corps of artillery, will have, between the hours of eight and nine o'clock A. M. *A. Arbuthnot* suspended by he neck with a rope, until he is *dead;* and Robert C. Ambrister to be shot to *death* agreeably to the sentence of the court.

John James Arbuthnot will be furnished with a passage to Pensacola by the first vessel.

The special court of which brevet major general E. P. Gaines is president, is dissolved.

By order of major general Jackson.

ROBERT BUTLER,
Adjutant General.